VOL. 23.

one month, Wilmington District\_4th Round. 24 and 25 " 31 and Sept. 1 Sept. 7 and 8 14 and 15 28 and 29 12 and 13 Onslow, Queens Creek...... Duplin, Charity..... Wilmington, Front Street ... Nov. 2 and 3 

# SPECIAL NOTICE.

### ERRORS OF YOUTH.

GENTLEMAN who suffered for years from A Nervous Debility, Premature Decay and all the effects of youthful indiscretion, will, for the sake of suffering humanity, send free to all who need it, the receipt and directions for making the simple remedy by which he was cured. Sufferers wishing to profit by the advertiser's experience can do so by addressing, in perfect confirience can do so by addressing, in perfect confi-dence, JOHN B. OGDEN, No. 42 Cedar st., New York.

## BUYERS OF CLOTHING.

WE ARE NOW MANUFACTURING

our Headquarters in New York, a large stock of GENTS', YOUTHS' AND

BOYS' CLOTHING

And shall open the same together with FURNISHING GOODS

UMBRELLAS, TRUNKS, &c., At our old established stand

"THE CITY CLOTHING STORE,"

ON SEPTEMBER 15TH.

Also, a rich and varied stock of

HATS AND CAPS.

Embracing all the novelties of the season, to which we call attention. MUNSON & CO.,

38 Market Street, Wilmington, N. C.

aug. 23

### TRUSTEE'S SALE.

DY virtue of a deed of trust to me exe-cuted by John G. Sutton, for purposes therein set forth, I will, on Monday of October Superior Court of Law, 1867, of Bladen county, at the Court House door, in Elizabethtown in said county, expose to public sale, to the highest bid on a credit of twelve months, for bond and good security, sundry Tracts of Land lying in Bladen county, (one on the river,) amounting in all, to about 1,400 acres, more or less. A more full description will be given on the day of sale. Title with full covenants of warranty will be

HERBERT R. FRANCIS,

### STATE OF NORTH CAROLINA,

BRUNSWICK COUNTY. Court of Pleas and Quarter Sessions, June Term

Mary Stanly Heirs at Law of Samuel Petition for Dower.

T APPEARING to the satisfaction of the Court that Milton Stanly and Sarah Stanly alias Sarah Hickman, defendants in this case, are non-residents of this State; on motion, it is ordered by the Court, that advertisement be made in the Vilmington Journal, a newspaper published in the city of Wilmington in this State, for six weeks consecutively, notifying them to be and appear before the Justice of said Court, at its next (Sep tember) term, to show cause, if any they can, why the prayer of this petition should not begranted. A true copy from the Minutes.

W. M. D. MOORE, Clerk.

#### STATE OF NORTH CAROLINA, SAMPSON COUNTY.

In Equity, Spring Term, 1867.

Amos S. C. Powell, Moody B. Smith.

IT APPEARING to the satisfaction of the Court that the defendant, Moody B. Smith, resides beyond the limits of the State, it is thereupon ordered that publication be made, for six weeks, in the Wilmington Journal, a paper published in the city of Wilmington, notifying the defendant to appear at the next term of our Court of Equity

to be holden at the Court House in Clinton, on the 6th Monday after the 4th Monday of September text, then and thereto plead, answer or demur, or udgment pro confesso will be taken as to him and ne injunction made perpetual. Witness, Thomas Bunting, Clerk and Master in

Done at office in Clinton, this 20th day of July, 1867. THOS. BUNTING, C. & M. E.

#### STATE OF NORTH CAROLINA, ONSLOW COUNTY.

Superior Court of Law, Spring Term, 1867, Mary C. Cranmer Petition for Divorce. Edward H. Cranmer,

T APPEARING to the Court that Edward H. Cranmer hath removed beyond the limits of this State, it is ordered by this Court that publi-cation be made in the weekly "Wilmington Jourto appear at the next term of this Court, to be held at the Court House in Jacksonville, on the sixth Monday after the fourth Monday in September next, and answer or plead to said petition, or it will be heard and tried ex parte. JAS. R. HURST, JR., C. S. C.

### Revenue Receipts from Whiskey. Commissioner Rollins is in New York,

"The new organization, however, has already demonstrated its usefulness by facts and figures. We see that the total

from bond in June was only \$51,336, while We hope a few week's rest will restore him W. Macfarland, who also, we learn, has they maintained that Sam'l A. Phillips the amount received in July (on the first and prepare him for other victorious conday of which the board inaugurated its tests for Christ's Kingdom.—Ib. operations) was \$134,810—being a balance of \$83,474 in favor of the new system—far more than was the total amount collected during the preceding month under the old order of things. Judging from present indications, the amount of tax on whiskey amount of grass. This will prove a God- learned the result, the Board not getting Court adjourned to meet on Tuesday, at 10 that will be paid when this month of Au- send to our planters, if they will have it gust shall have closed will not fall far short cut in time and properly cured. Winter nesday afternoon:) of \$175,000—more than three times as food for cattle and horses will be excesmuch as was the average monthly receipts sively scarce, all over the State. We warn before the board was in being. This, too, with a number of legitimate distilleries sun shines.—Raleigh Sentinel. closed, and others running at half their

"A meeting was held a few weeks since by the assessors and collectors of the vari- ken a profile of our river the last great ous districts, at which it was resolved that freshet, it would have presented a very an address should be prepared for present- strange phenomenon. The rains descendation to the next Congress, asking for ing in such torrents as they did on the at the Methodist Church, on to-morrow down stairs; saw them go to the carriage; and for the abolition of the system under caused the rise in the latter to move as a of North Carolina, and has been, for a Bond. Saw Bebee come down stairs. Harwhich it is being executed. This movegreat wave—perhaps very similar to the number of years, a resident missionary die, Wemiss and witness' father were with

# THE SILVER WEDDING.

Silver bells! silver bells! List! a merry wedding tells! Hymen sits in state to-day, Banishing all cares away.

upid first a garland wove, Wreathing youthful hearts in love; Craftily he twined the two, Five and twenty years ago.

Fresh'ning dews and vernal show'rs Soft he sprinkled o'er the flow'rs That they ne'er might fade and die, But e'er blossom 'neath love's sky.

Violet innocent and fair, Primrose pale and Rose most rare, Lily of the brightest ray, Hyacinth of game and play.

This the chaplet beauteous, bright, Budding, blooming in love's light, Save the Primrose weak and pale, It was ave for earth too frail.

And it gently took its flight Ere it new of sorrow's blight, Ere earth's thorny path it trod Went its infant soul to God.

But no tears he shed to-day! Flee all sighs and cares away! hime the little silver bells— Hymen's head with triumph swells,

Lightly on fantastic toe Trip the dancers to and fro, Grandame smiling at the scene

But to her a day like this Mem'ry brings to mar her bliss;
'Tis a "Golden Wedding day," Tells of him now passed away.

Is a child again I ween.

Ah! no tears must here be shed! Sighs and cares are surely fled, Peal the joyous silver bells! Hymen's head with triumph swells.

May this silv'ry music chime Sweetly down the stream of time, Till it ring in merrily
Life's own, Golden wedding day!

WHAT I LIVE FOR.

I live for those who love me, Whose hearts are kind and true, For the Heaven that smiles above me, And awaits my spirit too, For the human ties that bind me, For the task by God assigned me, For the bright hopes left behind me, And the good that I can do.

I live to learn their story, Who suffered for my sake, To emulate their glory, And follow in their wake, Bards, poets, martyrs, sages, The noble of all ages, Whose deeds crowd history's pages, And Time's great volume make.

I live to hold communion With all that is divine, To know there is a union Twixt Nature's God and mine-To grow wiser from conviction, To profit by affliction, Reap truth from fields of fiction,

And fulfill each bright design.

I live to hail the season, When men shall live by reason, And not alone by gold; When man to man united,

And every wrong thing righted, The whole world shall be lighted, As Eden was of old. I live for those who love me, For the hearts that know me true, For the Heaven that smiles above me, And awaits my spirit too. For the right that lacks assistance,

# STATE NEWS.

For the wrong that needs resistance, For the future in the distance,

And the good that I can do.

are now frequent and severe. Our streams register any person who was a soldier in fences are suffering from the freshet. Roan- in their own opinion. But they will be oke river is considerably swollen, we learn. We had an unusually heavy rain in this definite instructions have been sent them.

city on yesterday.—Raleigh Sentinel. FIRST COTTON.-Mr. R. M. Andrews, of this city, exhibited to us yesterday the first cotton we have seen of this year's growth. It was of a beautiful silk-like texture, grown almost within a stone's throw of the city limits, and as there are a good many acres producing the same sort, Wake county planters must look to their laurels or Mr. A. will bear off the handsome and valuable silver cup offered by R. P. Williams & Co., them.—Raleigh Progress.

three hundred, held another political meeting on the Court House Square, on Saturday evening, when speeches were made by Jones and Brown, colored; the former tion or social equality.—Wilson Carolinian.

BREAKING GROUND.—The ground is being broken between Tuckers' Hall and Fentress', by John G. Williams and P. Thiem, Esqs., for the foundation of two fine brick stores on Fayetteville street.

Raleigh Sentinel. Rev. R. A. Willis, after laboring very successfully in the New Berne M. E. Church this year, and receiving 122 members into the Church by examination, and a number and on Wednesday attended a meeting of thers, by certificate, now rests a few the Metropolitan Revenue Board. The weeks up the country, while his Church is of others, by certificate, now rests a few New York Herald, speaking of this Board, undergoing repairs and improvements. Weekly Message.

After laboring in a very gracious work in Wilmington, Rev. J. C. Thomas has re- to the vacant Judgeship on the Superior tax collected on distilled spirits withdrawn turned to Greensboro' in feeble health.

Make Hay.—We observe that the recent erop, and where wheat and oats have been precincts named in this division. In the harvested, are producing an unusual our people to be sure to make hay while the

If science, among the other wonderful things that it accomplishes, could have taamendments to the present revenue law, sources of the affluents, to the Cape Fear,

last week for committing a rape upon a young white girl, only fourteen years old, in this county. The wretch who would thus outrage an innocent female, deserves the extreme penalty of the law.

Washington Conservative. Maj. GEE.—The many friends of Maj. underwent such a tedious trial before a hasse, Fla. The disease was doubtless superinduced by the long and unjust imprisonment to which he was subjected by the federal government.—Ral. Progress.

EDGECOMBE COUNTY COURT.—Want of space and time prevents our noticing fully the proceedings of this body, now in ses-

On Monday, the Grand Jury were drawn,

Jury sworn and charged. The bar was well represented, both from home and abroad, but owing probably to the low pecuniary condition of many of their clients at this time, these gentlemen, rather rueful countenances.

The County business was taken up and disposed of on Tuesday.
Owing to the resignation of Wm. S. Battle, Esq., as Magistrate and member of the Special court, an election was held to supply the vacancy and James F. Jenkins, Esq., being nominated, was unanimously elected. At a Special Term of the court, held last month, the Magistrates were directed to make report at this Term of the condition of the Bridges in their several Districts, which reports disclosed a much more favorable state of affairs, than we had anticipated. While it was deemed necessary to repair and rebuild several Bridges in a few of the Districts in a majority they were reported in good condition and no action at this time necessary. The Commissioners, appointed to super-

\$9,028.50 had been already paid, leaving a any weapons there that day. Heard, imbalance due of \$1,496.21. The report of mediately after the pistol fired, several the Commissioners was adopted, liable to voices cry out that Captain Tolar shot the alterations suggested by the investi- him. Heard cries, immediately before, of gating committee. Owing to the want of funds, no action

intend the erection of the Jail, also made

for the new County Poor House, and the Watkins. committee were discharged from further consideration of the subject. Sheriff Hart tendered his resignation,

able cabins and other fixtures on the site

the matter. We sincerely trust that Sheriff H, may be induced to reconsider his resolution. He has proved himself in every way an able and efficient officer, and his retirement, particularly at this time, would be a great loss to the county; of course an Iron Clad would fill his place.

Wm. F. Mercer, Esq., Coroner of the county, and Mr. Sol. Pender, Constable, also tendered their resignations, which the Court declined to accept.

Wednesday was entirely occupied in the disposal of the State Docket.

Tarboro' Southerner. Wise Men.-We learn from an officer on Col. Edie's staff, that the august Board of with it he held it in his hands. THE RAINS.—The rains in this section Registrars, for Alexander county, refuse to apt to find that wisdom is foolishness, as

But we have heard similar reports from other counties; and the fact is these Registrars who venture to perpetrate such outrages upon the people are either intenultra radicals of Congress, or they are the ultra radicals of Congress, or they are the To the Question: Was Sam'l Phillips a pable of comprehending the most unmistakable laws and the plainest English .-There is no excuse for such men, except as a prize for the first full bale brought to They have the Reconstruction laws before "IT NEVER RAINS, BUT IT POURS."-The ten instructions from Headquarters, and negroes of this county, numbering perhaps, yet they are unwilling or incapable of to offer, as they were the best. drawing the plainest, proper construction.

Salisbury Banner. HEAVY RAINS.—August, this year, has their course was correct. certainly been the rainiest known herefrom Philadelphia, the latter, Principal of abouts for many years back, and some of the Court, after due deliberation, decided the Freedman's School in this place. Both | the rains that have fallen the heaviest ever | that the objection of the Counsel for the of the speakers were moderate in their known. On Tuesday of last week, a rain Prosecution should be sustained. While advising co-operation with fell that put up the water courses higher usual washing lands and the roads. Little's Sam'l A. Phillips about this matter? Mill, about three miles from town, was somewhat damaged about the dam, causing some interference with grinding operations | the Counsel for the Prosecution again ob for a day or two. It is in thorough repair jected.

Since Tuesday we have had rain almost every day. Apprehensions are felt for cotton, although it is still looking well-many believing that too much rain in its present condition will do it no good, but rather cause it to "shed." Late corn is being benefited by it, and is looking extremely well.—Wadesboro' Argus, 29th inst.

REGISTATION—APPOINTMENTS, &c.—EASTthe appointment of Alexander Little Esq., Court bench, and the indisposition of Capt. been relieved from duty as Freedmen's Agent. B. B. Horton has been appointed to take the place of the former, and John Boylin, the latter, on the Board. The folthrough at the time we go to press (Wed-

Whites. Blacks. Smith's . . . . . . . . . . . . 43 104 

LECTURE.—By a notice, elsewhere pub- Stayed there a few moments and went over on the customs and manners of the Chinese, Massie and her mother go up and come evening. The Rev. Mr. Wood is a native don't recollect anybody else going but Mr.

# THE MILITARY COMMISSION.

United States vs. Tolar, Powers & Watkins,

Monday, Aug. 26, 1867.

James H. Jones:-Live in Fayetteville .-Know Bebee; he drove a dray for witness. He had formerly been in the employ of John H. Gee, formerly commandant of the John Maltsby and father. John Maltsby Confederate prison at Salisbury and who informed me the morning before Bebee was killed, of his attempt upon Miss Massie. He brought witness his keys, that military commission in this city, will re- Bebee had in his possession, before witness gret to hear that a private letter reports got out of bed. Witness and John Maltshim as dying of consumption near Talla- by were making arrangements to bail Bebee before he was killed, and told Dennis Hogan to get Mr. Fuller to appear for his defence. Witness was at the market house when Bebee was killed; went there for the purpose of getting him bail. The carriage with Miss Massie and mother drove off very soon after witness got there. Witness did not see Miss Massie or mother; saw John Maltsby and others at the carriage; and we had the pleasure probably for the and Mr. Lutterloh standing together. Witlast time, of hearing an intelligent white ness did not hear their conversation.— Heard some say the negro ought to be killed. After the carriage drove off, Maltsby came to witness and told him that Babee had been found guilty, and they walked up and down together, outside the marusually so active, cheerful and affable on ket house. Maltsby and witness were on such occasions. presented, it seemed to us, the outside of the market house, when Be- ties on trial. Has told this before to Mr. bee came down stairs. Witness saw a rush | James McRae, of Fayetteville. made upon Bebee. Maltsby was not in it. Witness was at the S. E. corner of the market house, outside, when the pistol fired. Did not see who fired the pistol; did not see Bebee fall. Witness is first cousin to Maltsby, and brother-in-law to "Monk." Witness married "Monk's" sister.

Cross-Examined: Bebee was in employmarket house to get bail for him; there Maltsby to that effect. Why witness did not go up stairs, at the market house, was because he heard that no person would be allowed. There were some fifty or sixty persons there. Maltsby was not out of the presence of the witness from the time that he (Maltsby) came from the carriage until Bebee had got out on the sidewalk. Witness did not see a rush. Did not see Tom their report, showing the entire cost of the Powers there that day. Did not hear any structure to amount to \$10,524.71, of which one demand the prisoner. Did not see "kill him." Saw Nixon bring "Monk" out of the crowd; he was swearing and was taken in regard to the erection of suit- raving. Did not see him have any weapon. "Monk's" real name is William David

Re-Direct: At the time Bebee came out of the arch, Maltsby was with the witness; if any rush was made, previous to that but as the necessary majority of Justices were not present, no action was taken in control of "Capt. Tolar shot him" were a minute cannot swear that Tolar did not draw a or so after the pistol shot.

Question by the Court: Did not see Sam'l Phillips at the time the pistol fired. minutes.

Matthew Morgan was called, and the tender by the Defence having been refused by the Prosecution, he was examined by the Court, and testified as follows: Was at the market house in Fayetteville, when Bebee was killed. It was about 4 P.

M., on the 11th of February last. Saw Capt. Tolar there; he had a Navy pistol in his hand, and looked like he was going to shoot Bebee. Witness was on the pavement. Witness did not see Tolar shoot the pistol he had; the last time he saw Tolar

He heard the report of a pistol and saw Bebee fall; very soon afterwards, he saw are much swollen, and crops, bridges and the Southern Army. These are wise men store with a pistol in his hand, which was Mr. Sam. Phillips walking off towards his a larger one than Capt. Tolar had. Thos. A. Hendricks, sworn: Live in Fay-

etteville. Was in Fayetteville the day Bebee was killed, but not at the market house. Was one of the Coroner's Jury. It com-menced the afternoon of the day Bebee was killed. We made up a verdict on the third day. We all signed it on the third

the discharge of responsible duties, -inca- member of that Coroner's inquest? the Prosecution objected.

The Counsel for Defense said that it was proposed to prove a matter of fact-that wanton insubordination or gross ignorance. he was a member of that Coroner's jury. The Counsel for the Prosecution contenthem, simplified as far as possible by writ- ded that the records of the proceedings now in existence were the proper evidence

The Defense said it was only a fact they wished to prove, and argued to show that After a somewhat protracted discussion.

Question by Defence :- At the store of the Radical party, they expressly disclaimed than they were ever known to be before, Sam'l A. Phillips, on the day above spoken

any idea of desiring or expecting confisca- causing damage to fences, bridges and as of, did you have any conversation with Upon the witness replying in the affirmative and the witness being asked to give it,

Upon this a long discussion followed. The Prosecution objected to the declara-

tion of Phillips be given. The defence said we wish to impeach nim as a witness.

The Prosecution said, not in that way that, on a previous occasion, Phillips had been questioned on a certain point by the Defense itself, and had answered it, and that they could not introduce evidence to contradict it; that this was collateral evi-DIVISION.—On this Board two vacancies dence, not immediately material to the have occurred since our last, the first by issue and that they were bound by the an-

> The Counsel for Defense replied by saying that it was not collateral evidence; that killed Bebee, and that everything that went to prove it was pertinent to the issue.

After a long argument, to which justice could not be done by the Reporter in an rains, where they have injured the corn lowing is the result of registration in the abstract like this, the Court decided that it would sustain the Counsel for the Prosecuother precinct, (Morven,) we have not yet tion. After some further discussion, the o'clock, A. M.

Tuesday, Aug. 27, 1867.

Washington Faircloth, sworn:—Aged seventeen. Live in Fayetteville. Was at the maket house the day Bebee was killed .-Was there before he was brought from the guard-house. Saw him carried up stairs.

when the pistol fired. The smoke of the any interference, actual or meditated, with

market house. Witness was standing just military district instead of another. If at the edge of the pavement at this time, this tendency shall prevail, and the old reopposite the pillar that separates the large publican rule of "measures, not men," is opposite the pillar that separates the large publican rule of measures, not med, cess from the United States is concerned, eastern arch from the main South one.— to be reversed; if men are to be deified, until he can submit his arguments against Witness was about two feet from Sam and individuals instead of principles look-Phillips; could have touched him; he was ed to as essential to the preservation and on the right of witness on the pavement. success of government, we are making easy the Government. There can be no doubt, He drew the pistol from his left side and the transition from a government of law cocked it as he raised it up and presented to a government of force, and to a period right in maintaining the validity of his it in the direction of Bebee. Witness did when the clamor of a partizan press, repnot see the pistol fire, but heard the report resenting a factious minority of the popuand saw the smoke rise from about Sam lation of this country, can be interpreted Phillips. He then put up the pistol on his by some object of popular idolatry as the left side. "will of the people" designating him for left side.

Witness saw Captain Tolar there that

Witness' attention was directed to Phillips because he had a pistel. Has known Phillips all his life. Witness remained saw Capt. Tolar, Ed. Powers, Mr. Leggitt there an hour after the shooting. Did not hear any exclamations of "shoot him," or "kill him," but, when Bebee was trying to get away, heard some one say "shoot the d-d son of a bitch." About ten or fifteen minutes after Bebee was killed, witness heard John Armstrong running around,

saying that Capt. Tolar shot him.
Witness is not related to any of the par-

Cross-Examined: Had heard that Sam Phillips had turned State's evidence before witness told this to McRae; never has heard much talk about it. Can't recollect whether the ladies or Bebee went up stairs first. Saw John Maltsby there talking to some persons, but witness does not recollect who they were. Was outside of the ment of witness when killed. Went to market house before the ladies came down, or rather went out at the same time. Saw was no understanding between witness and four or five others go to the carriage besides Mr. Bond, but can't say who they were. Saw Capt. Tolar on the pavement while Bebee was on the step. Heard no demand made for him, but heard some one say "keep off, men;" heard no blow struck

by a club, nor a knife fall. Phillips was standing to the front and right of witness on the pavement, while Bebee was trying to escape. There was no one between him and witness; saw him draw the pistol and cock it as he drew it and witness turned his head as the pistol fired. Phillips was six or seven feet from Bebee. Saw Capt. Tolar just before the firing; he was nearer the market house than Phillips and immediately on his right, about two feet; he was standing perfectly still. Tolar had on a shawl. Can't say whether it was pinned up in the throat or not. He had on a tall black wool hat.-There was no one between him and Phillips, witness thinks. Phillips had on a black coat, but no shawl; he drew his pis-Cannot swear that Tolar did not draw a has already announced, triumphantly, that of Congress. Let him not be diverted from pistol. Did not see Phillips flourish his the next Congress will consist wholly this great and patriotic object, by any consist wholly consist who consist wholly consist who consis pistol as he put it up, nor did he make any of Republicans. An Eastern Radical lead-siderations of official dignity—or even of remark that the witness heard; did not [The Court here took a recess of five hear him say "if the negro is dead, I did

Witness went around to look at Bebee and left Phillips standing there; did not see him again. Saw Tolar again standing by the wall of the market house. Did not see Telar have any weapons that day. Phillips' pistol looked like a navy pistol. Heard John Armstrong say "Tolar shot him," two or three times, while Tolar was standing there; he was the only one witness heard say it.

David Cashwell, sworn: Over fifty years of age. Live in Fayetteville. Was at Mr. Taylor's store when Miss Massie and mother came out of the market house and went to the carriage. Went to the carriage with Mr. Taylor; Mrs. and Miss Massie are members of the same church as witness. While talking with the ladies, Mr. Bond ordered the driver to drive the carriage off. Went into the market house and saw Bebee coming down stairs. Saw Hardie and Wemiss with him-Hardie on his right. Heard no cries or demonstration until Bebee was going out the arch; then saw hands raised as if to demand him; soon after, heard pistol fire and saw the smoke blow by the Eastern arch. There was a fresh southerly wind blowing. In a second or two after, saw Tolar on the pavement, in front of the centre of the large Eastern arch; just caught a glimpse of him as he made a half-wheel 919. The admixture of sea island with the let the question go up to the Supreme with his body. Am under the impression that he had some instrument in his hand;

can't say it was a pistol. Witness is a friend to all the prisoners: has a particular friendship for Tolar, because he belongs to the same church as witness, (the Baptist); has known him for a long time, as a man of high moral character. Never visited each other much .-Tolar is a Mason. Witness is a Mason; but his Masonic obligations do not require him to testify falsely in any case. Court adjourned to Wednesday, 11 o'

# The Ignoring of Principles for Persons,

clock A. M.

mind to ignore principles, and to treat great public questions in purely personal relations, is of alarming import. This tenderal plete and comprehensive date on the important subject, and will be published officially from the Bureau of Statistics. The prevailing tendency in the radical dency has been strikingly exemplified in the case of Sheridan, but it is manifested all the time and on all occasions. Fundamental principles are not only subordinated in importance to men, but if any man will jump over those principles in the interest of party, straightway that man is looked upon as more essential than the constitution and the laws, and with loud bleatings the whole flock follows him over the restraints which he has overleaped, and are unbounded in their admiration of him and of themselves for the glorious achievement. Not content with making an idol of every individual who thus signalizes himself in their interest, they insist that all other Americans shall divest themselves of their manhood, cast away the characteristic independence of the American mind, and bow down and worship. "Great is Diana of the Ephesians," and the man is considered a blasphemous infidel, and a malignant lunatic, who does not echo the cry, and wallow in the mud and slime of personal abasement. Especially is this the case if the false god is bedizened with military trappings and wields a sword sharp enough to cut through all that the political wisdom of ages has devised for the preservation of the freedom and security of society. Here, for months, we have had the press daily filled with Sheridan, as if the Heav-

lished, our readers are informed that the to Mr. Moore's store; in about five minutes ens would fall if Sheridan was removed; as Rev. M. L. Wood will deliver a free lecture came back to the market house. Saw Miss if there were no other officer in the army which it is being executed. This movement may be intended for the best; but, coming as it does from those only who, by the creation of the Metropolitan Board, have been shorn of their enormous perquisites, it appears to be, to say the least, suspicious."

Tegethoff thinks he will obtain the body of Maximilian and take it off,

The strong are tidal wave—perhaps very similar to the great tidal wave of the ocean—with an incoming as it does from those only who, by the name of years, a resident missionary and the singular people of whom he singular people of w

pistol blew all in witness' face. Afterwards the reconstruction laws, but because in the he saw "Monk" trying to cut Bebee with exercise of his constitutional prerogative as Commander in Chief, he chooses one Bebee fell even with the corner of the person to execute those laws in the fifth

> a wider rule than that of the fifth military Gold was run up, on Tuesday, in Wall street, to 142, upon sensational rumors from Washington, to the effect that a rupture between Gen. Grant and the President was impending, and that the former had written another epistle to the latter upon the Sheridan case, which was of a more significant character than even the published letter. But, yesterday, explicit and absolute contradictions of these reports were authorized by more than one Cabinet Minis-

The money market is easily affected by ramors at a time when distrust of the future prevails. Public confidence is not tice of the United States, on a case tried the plethora of money in New York, caused by the lack of legitimate business, promotes speculation in gold and stocks. The manufacture of sensation rumors, becomes, therefore, a popular and profitable trade. There is enough, however, even in facts before us to account for fluctuations in prices. Things supposed to be settled may vet prove under possible circumstances, to be unsettled. The country may find itself at sea again as to its entire financial policy in the confusion and conflicts of a factious and President-making and President-breaking session of Congress soon to be held. It is not what may have occurred between Gen. Grant and the President during the last few days that has shaken confidence in Wall street, so much as the threatened action of Congress at the coming session. The wildest schemes of finance, and an utter disregard of public credit and national faith, are likely to characterize their legislation. Resolutions offered at the last session by Radical members, and of Washington, the question is of very which are to be brought at the next, look to taxation of the United States bonds, and also to an enormous and invidious tax upon large holders of land. Demagogues will find a large field for operation in the coming political canvass. The people are to be either humbugged or dragooned into the support of Radical rule for another in the Courts of the United States on the four years, and Senator Sherman, of Ohio, er, General Banks, has made the same

assertion. The consequences of continued Radical Supreme Court of the United States in the despotism will be the further delay of res- case far better than he can do it by any toration of the Soute; the retention of the arbitrary removal. military force in the Southern States for the subjection of the people; the expenditure of thirty-five millions a year for the ton the conclusion of the argument used reau in Southern States; the delay of Southern industrial recuperation; and prostration of Northern commerce, so far as it de-

pends upon Southern prosperity. It is not remarkable, that under such circumstances gold should rise, and that gold and Government bonds should be exported in large amounts. It is much to be apprehended that Congress, upon its meeting, will inaugurate measures that tend to bring back our Government secu- of the constitution which gives jurisdiction rities from Europe for sale, thus producing a panic, and carrying gold up to two hundred.—National Intelligencer.

Exports of Cotton. The following is an official record of the exports of cotton during the fiscal year

Bureau of Statistics: Uplands and sea island exported from all the ports of the United States, 667,137,870 pounds; value in currency, as declared by the constant appointed by the constant appointe the exporters on their clearances, \$502,870,- to acts of Congress? The remedy is easyuplands explains the seemingly high valua- Court of the United States, and there be tion. Official comparison with the foreign settled. Do the authorities desire that acts statistics reveals the fact that the cotton on of such vast importance should be enarrival abroad fully realized in the market forced, when disputable and disputed bethe values sworn to here, although the fore our judicial tribunals? Do they sup-

last. at \$281,385,223. The Director of the Sta-them, with all their intense exasperations, These returns will, it is said, furnish com- reason why a certain construction of a law

The English Church Rates. On the 24th instant the British House of Commons, as announced by telegraph yes-the concern, as will be seen by the followterday, passed the bill abolishing Church rates. In 1858 the House of Commons passed a bill to abolish Church rates, unconditionally, but the House of Lords refused its assent to the measure by a large majority. The Church rate is a tax imposed upon the inhabitants of England for Church repairs, and is levied by the church wardens of the parish, together with the parishioners, and is made upon the tenant in respect to the land or house he may occupy, which it is claimed is obtained at a ess rent or price in proportion to the rates levied upon it. Since the seventeenth cenalways more or less resisted in England, and of late years has been the subject of the result. We did not venture any furtury the payment of church rates has been frequent discussion in Parliament. In ther than the top of the fence—we conclufrequent discussion in Parliament. In ded to straddle it, and see how our predecessors and advisers who had "got clean were adverse to granting the required rate, on the ground that it was unjust to tax members of one religious denomination for the support of houses of worship used by another denomination. At last a national subscription was raised to test the question by litigation, and it was brought before the ecclesiastical and civil courts of law in the Braintree church rate area. Which last a mational they were "thrown as high as a kite." So we just "slid back on this side of the fence," and concluded to wait for further developments.—Scottsville (Va.) Register. Braintree church rate case, which lasted ments.—Scottsville (Va.) Register. daily filled with Sheridan, as if the Heavens would fall if Sheridan was removed; as if there were no other officer in the army of the United States who could carry out the reconstruction laws but Sheridan; as if Sheridan were more important than not only the constitution, which has long become obsolete, but than the reconstruction laws which in one part of the country of the House of Lords that the church wardens and the minority of a vestry cannot make a legal rate against the will of the majority. Nevertheless, in 1858, the House of Lords, as we have seen, refused to pass a bill of the Commons abolishing church rates unconditionally. The statement, but the counsel for the defaulting tellers of the Tradesmen's Bank, has been examined.—The President of the bank made a lengthy statement, but the counsel for the defaulting tellers of the Correct try cannot make a legal rate against the will of the majority. Nevertheless, in 1858, the House of Lords, as we have seen, refused to pass a bill of the Commons abolishing church rates unconditionally. The total annual amount raised by church rates

### RATES OF ADVERTISING.

1 square, of 10 lines or less, for each and every insertion, \$1.

Special Notices will be charged \$200 per square for each and every insertion.

All Obituaries and private publications of every character, are charged as advertisements.

No advertisement, reflecting upon private character, can, under ANY CIRCUMSTANCES, be

# THE U. S. COURT PROCESS.

The papers inform us that at General

Siekles' request, the order to him from the

authorities at Washington, directing him

to reseind the Order No. 10, so far as pro-

# From the Charleston Mercury, Aug. 24.

it, promises, we think, great advantages order, and in refusing to rescind it, if his construction of the military acts be correct. If it is true, that the Southern States are not States of the United States, but are conquered territories, under absolute military domination-then General Sickles is right. But if on the contrary the military acts, asserting and enforcing this position, are unconstitutional, then he is wrong. Whether he has a right to suspend judicial processes in North and South Carolina depends, therefore, on the constitutionality or unconstitutionality of the Reconstruction acts. Now, here is an opportunity to test this question. It was evaded in the case brought into the Supreme Court of the United States, by the States of Georgia and Mississippi, on the ground of a want of jurisdiction. But here is process of the Court of the United States, issued by the Chief Jusstrong enough to be self-sustaining. But and adjudicated by him. If fairly pushed to trial, we do not see how the question of constitutionality can be dodged .-It is well known, that Chief Justice Chase, in the case of the admission of Representatives from Virginia during the war, to seats in Congress, expressed his opinion in writing, that as no State had a right to secede from the Union of the United States, Virginia was just as much a State of the United States, as any other State in the Union;—and therefore, her Representatives should be admitted to Congress. In the prize cases, since the war ended, the Supreme court of the United States has taken the same position. If this abjudication is correct, no Military Commander, either with or without the authority of any legislation of Congress, can by a military order, arrest the process of the Courts of the United States carrying out the laws in any State. As a mere conflict of authority, between the Military Com-mander of this District and the authorities small importance. But when it may be made to involve the validity of all the Reconstruction acts, it is of a magnitude which cannot be exaggerated. We trust that the President will see it in this light; and will shape the course of the government, so as to secure a fair and conclusive adjudication constitutionality of the Reconstruction acts constitutional Executive rights. These will also be vindicated by the decision of the

Since putting the above in print, we have received by telegram from Washingsupport of the army and Freedmen's Bu- for supporting Order No. 10, as follows: 'If the United States Courts in the rebel 'States be allowed to control the military authorities, the execution of the Recon-' struction acts will, for obvious reasons, 'soon become impossible. Some of these courts will begin by declaring the acts of

Congress void."
Within a week, the District Judge of this State sitting at Greenville, has determined that Order No. 10 has nullified that clause to the United States Courts, "in all cases between citizens of different States." A citizen of North Carolina has been turned out of this court, when suing a citizen of

South Carolina. But suppose this court did interfere, and should adjudicate the Reconstruction acts ending June 30, 1867, as compiled at the unconstitutional—what then? Were these courts not specially appointed by the conprice of cotton declined since October pose that they will be supported before their constitutionality is fairly tried and The exports of cotton for the fiscal year settled? Would it not, therefore, be far ending June 30, 1866, were, including sea better to have this question settled, before island cotton, 650,572,829 pounds, valued the acts are enforced, rather than enforce tistical Bureau is receiving returns showing and then have them undone? Higher-law the average quantity or cotton seed sown to the acre, the estimated yield of cotton never win obedience or support. It is an in bales and the number of pounds count- unheard of novelty-it is an unprecedented ed to the bale in each locality of the entire enormity in a free country, to hear an apcotton growing region of the United States. peal to its courts of justice, alleged as a

# Couldn't Stand "Co-Operation,"

The Scottsville Register at one time looked with favor upon the scheme of the "co-operationists," but now backs out of

One of the most Radical cows we ever saw was "fed and fattened in a pen" on "Driver's Hill." Those who fed, salted petted her, were her particular favorites; but if a stranger appeared in the pen, unless he had a bundle of oats, or a handful of salt, she would hoist him over the fence with heels upwards. Before the grand convention met in Richmond, we were prompted by the example set by Messrs. Wood, Branch and others, in whose judgment we confided, to recommend "co-operation" with the Republican party, think-

WILMINGTON, N. C.,

FRIDAY, SEPTEMBER 6, 1867.

### Eligibility of Negroes.

It seems that one of the chief annoyances to which the leaders of the Radicals are to be subjected is in carrying the Southern States by means of the negro vote in the interests of their party, and at the same time repress the ambition of aspiring colored politicians. So far as they are individually concerned they care very little who aspires to office, so that it interferes not with their own plans; but they fear that the masses of the Northern people the people and the country must be saved, are not yet prepared for this very radical and turned aside from the paths in which change. In the face of positive evidence to the contrary, their orators in some of the States emphatically deny that there are any indications that the colored people of the South were desirous of coming in competition with the whites for civil office, when even the Generals who have been placed over these States, either from a desire to promote the negro, or in respect to their demands, have given to that race a fair proportion of the appointments to civil stations in the Third and Fifth Districts at

As yet there has been no election in any of the unreconstructed States since the passage of the acts now in force; but for the pending election for members of the Convention in North Carolina, the most important body which ever assembled in our State, if, indeed, its legislation is to be engrafted upon the Constitution for years to come, there has been in no county a nomination or recommendation, so far as the rights of the several sections; thwart we have yet heard, which did not embrace the name of a negro aspirant. Even in Wake, famous for the general intelligence of its citizens, and the very high character of its professional men, we notice the names of three persons suggested by several meetings and gatherings, the most intelligent and probably the most worthy of the principles and teachings of the Constiwhom is a negro.

It may be well enough for politicians, away from the scenes where the Congressional plan of reconstruction is being ma- the people. We trust that the developtured and carried out, talking to people ment of events may give them an affirmaignorant of the real condition of affairs, to live answer. We yet hope that the Execupractice upon their intelligence by such tive will save from total wreck the remainimprobable and unnatural assertions as to ing fragments of the Constitution. In any the disposition of the blacks to their political or even social equality through the he make the attempt, and either save or go ballot-box. The very laws which make down with that instrument he has them eligible to office work the disfran- sworn to preserve. There is no other chisement of a very large proportion of the worth and intelligence of the country. The law dishonors talent, capacity and experience, and exalts ignorance, incapacity and inexperience, and in conferring political rights upon the blacks degrades the best but one exit from this political maelstrom ortion of the whites into political eunuchs The negroes could not be expected to continue to honor those whom the law, which confers power upon them, dishonors, nor South. They must rise in the coming can they, in many places being in a majority, in all holding a balance of power, menaces our prosperity, and even the rebe expected to yield their claims to the public itself. This done, and the governsmall remnant of eligible native whites or unknown adventurers, when they are frequently superior in capacity and character. In most cases to ask them to submit their claims to whites would be no concession to superior virtue or intelligence. If, therefore, there be any error in their natural, and under the circumstances, very proper, aspirations, it lies not at the doors of the as to radicalize them, the fiendish fury colored people, but the fault is in the law

General Sickles, who can hardly be regarded as a special champion of Southern whites, in his letter to Senator TRUMBULL, gives the true reasons for this growing inclination of the negroes to enter political and in having obeyed the orders of their life and furnishes the solution of the approaching difficulties of the Radical party. dence that these officers favored the re-In their determination to secure the South, however, they seem willing to risk their less that they sought the position. There success at the North. It will be hard for has been no effort on the part of any porthem, by the same legislation to satisfy the tion of the people affected by the change white laborer of one section and the black to control the appointments or suggest suclaborer of the other. Protecting the cessors of the removed officers; and, so far one by levying an onerous tax upon the as we know, in the case of General Sickles, other, and compensating the latter by at least, has there been any effort to proconferring political rights, will furnish a duce his removal. Yet the removal of temporary relief from their conflicting in- these two officers and the appointment of terests, but this delay will only intensify the feelings of both when the reaction sets in. The political power which the one possesses will be used to protect their race and government from the growing en- the distinguished Generals who are to comcroachments of the blacks; while the fran- mand them. chise about to be conferred upon the other will be exercised so as to prevent future change in the rigors of military rule under must be regarded as completed unless it is under the presidency of the Chief Justice of the discriminations against them in providing the new commanders, but we suppose, so stated: revenue for the government, and will pos- from the well-known character of Generals sibly attempt to reduce the taxes to be levied still more by a repudiation of the public debt. In any event, men, as individuals or organized into parties, are most alive to will administer their delicate and important their own interests, and it will be impossitrusts for the welfare of the whole ble long to deceive them by specious legislation. Probably this desire of the negro to reap the full benefit of hisnewly acquired bills was to reconstruct the Southern rights and powers may be the means of States. It is feared that these officers opening the eyes of both parties as to the will not go behind the record and lend variance between the professions and practice of the Radicals.

The Future of the Government. For two years the Radical party has officers who command in Virginia, and in been endeavoring to reconstruct the coun- Mississippi and Arkansas, or by the party ty try. And what has it accomplished ?- rants who have been converting the other The work which at first had for its avowed Southern States into political pandemoni object the restoration of harmony of rela- ums for the purpose of securing favor with tions, has, with scarcely an attempt at dis- Presidential caucus managers and commit guise, been merged into a partizan cam- tees. The people of North Carolina have paign and measures to insure party success. | been made to feel the weight of military If the Radical Republicans were at first power more frequently and more unneces animated with a desire for the good of the sarily than their neighbors in Virginia country, which is a matter capable of con- high-toned and honorable officials have siderable doubt, they have long since been removed to give place to party favorthrown any such intention to the wind and ites, in many instances without capacity in their acts proclaim "party first and and without character; our citizens have country afterwards," And what is their been compelled to pay heavy fines or lanwork of reconstruction about to be productive of? Negro supremacy and a reversion of the order of things, bringing intellectual capacity into disrepute, and founding the government upon ignorance and
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lectual capacity into disreption upon the most heinous charges
to process shall be hereafter instituted or
lectual capacity into disreption upon the defendant. Proceedings in such causes
of action now pending, shall be stayed; and no
s prejudice, soon to be followed, we fear, dation or proof, yet the orders of General

either by anarchy or despotism. We have now approached a crisis un- same uncomplaining spirit with which paralleled in the history of the republic, those of General Schofield have been Well may those who hold fast to the relics obeyed. The people of Virginia have been York,

of the Constitution and the liberty insured saved from humiliations to which we have in that frame-work and former guide, stand been repeatedly subjected. Notwithstandaghast at the measures which have been in- ing this, both at Raleigh and Chapel Hill stituted to effect its overthrow and the ruin General Sickles made public his official of the country. The future of the govern- experience as to how we have borne ourment is in doubt. We stand as it were up- selves in the trying ordeal. on the verge of a precipice-blind fanaticism urging us on to the gulf of rain and der beyond his military record during the anarchy, while discord sways the mass with war, and the ability he displayed in the a terrible force which threatens its precip- management of the important department tation. Something must intervene be- committed to his charge. He has not tion. The strong arm of the law must be interposed; order must be maintained; the rights guaranteed under the Constitution vindicated; its great supremacy again established; and, leaving fauatics and their

tution? and will he maintain them invio

late from further encroachments? These are

questions of the most vital importance to

event his duty is plain. Manfully should

course to pursue. His oath so enjoins up-

on him, and he must conform to its require-

If the Executive should fail in his duty

which threatens to engulf us. We must

then look to the strong common sense and

intelligence of the people, both North and

elections and overturn the faction which

ment based on intelligence, not ignorance,

Our Military Governments.

HANCOCK and CANBY would be sufficient.

Commander-in-Chief. There exists no evi-

moval of the District Commanders, much

their successors has been the fruitful

theme of party tirades, not only against

the President, but against the unoffending

people of the two Military Districts and

So far as we know there will be no

guish in dungeons for trivial offences; men

Sickles have been submitted to with the

If anything was wanted to prove that the

the republic will be then truly restored.

ween us, the people at large, and destruc- mixed with the politics of the country since the war, but has contented himself in the faithful administration of the military duties with which he has been entrusted, and until honored with the confidence of the President, was justly regarded as one of leaders to work out their own destruction, isfied that a soldier should supplant a con- public. venient politician, the Tribune says that a soldier without a record goes to Charlesthey have been ensnared and placed again ton." That this announcement is but the upon that beaten road, which we once purfrenzy of a politician and not the utterance sued so happily and with such harmony and of a candid and honest heart, the most prosperity. In the crisis to whom does the country abundant evidences exist in the pages of GREELEY'S AMERICAN CONFLICT, a historical look for the accomplishment of such good? work by the editor of the Tribune, where Certainly not to Congress. The course the brilliant record of General CANBY's serwhich it has pursued has been fraught with

vices and ability are clearly and, no doubt, nothing but embarrassment, except it be the attainment of party ends. And to atmpartially portrayed. Beyond doubt the war waged upon him tain these ends millions have been expendas well as General HANCOCK, is merely beed and the prosperity of the country retarded. No; the present hope of the cause it is supposed they will not use their people must rest with him who has official positions to dragoon the people of these States into affiliation with the Radisworn to "preserve, protect and defend the Constitution" to the best of his cal party, but will administer their departability-the Executive-with whom alone ments with justice, equity and in conformance with a true interpretation of the acts rests the duty of interposing the strong under which they receive their powers. arm of the law. Calling the powers vested We hope the expectations of these politiin him by the Constitution-of which Congress has attempted to divest him-to his cians will be realized, and in stating that aid, he must put down usurpation; declare we believe they will be, is passing an opinion upon the merits of the new district commanders, the full force of which may thuse ruinous measures for partizan trinot yet be wholly realized, but which, if umph and the destruction of the country, and restore that harmony and peace so escorrect, will redound to the welfare of the sential to the prosperity and happiness of country and will not be the least prized leaf the whole land. Will he conform to the in the wreaths which crown the brows of requirements of his oath? Will he have the firmness to declare the inviolability of Why General Sickles was Removed.

We know nothing of our new comman-

The cause of General Sickles' removal from the command of the Second Military District is no longer a matter for conjecture. It is now definitely made known, and, as was most generally apprehended, relates to his exercise of the strong arm of the military in obstructing the execution, in this city, of writs issued by the United States Circuit Court of this State in relaion to causes adjudicated upon by that ody. We surrender a large portion of our space to-day to this matter, and elsewhere give a complete history of the whole

This General Order No. 10 gave rise to no little sensation in the States affected, when first issued. As may be naturally to himself and the country, then there is supposed, the people viewed it as unconstitutional, in fact, as an act of usurpation, feeling it to be a blow at the whole fabric of our State government. The total disre gard thus paid to a code of laws, of which any State might justly be proud, and the substituting for our government a modern code of his own selection, and the product, it may be, of his individual brain, unaided and alone, was an action on the part of General Sick-LES which the people of our State, although open condemnation was futile, could but purpose of the Radicals in the passage of esteem, to say the least of it, a high-handed the unconstitutional Military bills was not measure, even when emanating from a Milto reconstruct the Southern States, so much itary Dictator. But so far as that portion of the order in relation to the staying of with which they already assail Generals executions is concerned, and which has caused General Sickles' removal, it was a These Generals have done nothing to jusmost timely relief to the people. Though tify this course. Their only offence has they condemned the manner in which it been in being selected by the President to originated and was promulgated, failing supersede Generals Sheridan and Sickles, not to see that there was no authority for power of might, still it was regarded by the people of the Carolinas a relief.

We are pleased at the stand taken by the President in this removal, as a vindication of the fact that there is yet a Constitution, and that though it may be violated he has not forgotten how to defend it. We trust that he will go further still, and use the utmost extent of his authority to do away with all that which is unconstitutional inflicted upon the people in this section, at present known as the Second Military Dis-

# Registration Returns.

We give below the registration returns in this State so far as received. We shall keep the table standing until completed by the full returns from the State. No county

1	the new commanders, but we suppose,	W	HTES.	DELOW
1	from the well-known character of Generals	Alamance	398	203
١		Anson	222	300
١	CANBY and HANCOCK, as men and soldiers,	Beaufort	576	447
1	it is thought by the party leaders that they	Bladen	777	1,204
1	cannot be used as mere party tools, but	Burke	324	203
1		Brunswick	587	656
1	will administer their delicate and important	Chowan	527	619
	trusts for the welfare of the whole	Cabarrus	849	607
1		Caldwell	511 478	110 123
1	country. The professed purpose of Con-	Cumberland	815	1,038
,	gress in the enactment of the Military	Carteret	289	388
3		Craven	837	2,120
ı	bills was to reconstruct the Southern	Duplin	552	520
ij	States. It is feared that these officers	Davidson	442	320
	will not go behind the record and lend	Edgecombe	554	1,203
1		Forsythe	853	315
1	themselves to the real design of Con-	Gaston	678	313
1	gress in their desire to radicalize the South.	Granville	583	1,614
1		Hertford	168	235
1	Military rule is offensive to our people,	Harnett	83 431	108 289
1	whether exercised by the just and impartial	Iredell	707	495
	officers who command in Virginia, and in	Lincoln	328	213
6		Lenoir	185	577
4	Mississippi and Arkansas, or by the party ty-	Mecklenburg	1.565	1.458
	rants who have been converting the other	McDowell	273	60
i		Nash	965	788
l	Southern States into political pandemoni-	New Hanover		2,666
	ums for the purpose of securing favor with	Orange	754	660
	Presidential caucus managers and commit-	Pitt	441	562
		Robeson	779	599 954
	tees. The people of North Carolina have	Richmond	357	362
	been made to feel the weight of military	Rutherford	202	67
•		Sampson	490	499
t	power more frequently and more unneces-	Wake		1,675
е	sarily than their neighbors in Virginia;	Warren	371	1,486
		Wilson	885	818
-	high-toned and honorable officials have	Wayne	827	816

Two negro men, Pen Davis and Par Davis, brothers, were arrested on Sunday last in Danville, on the charge of commit ting a rape that day upon the person of a shall not be enforced against the property or person of the defendant. Precedings in such causer

WHY GENERAL SICKLES FELL. THE MAJESTY OF THE

The Constitutions) Power of the Judiciary

Must be Upheld by the Executive The following document was submitted by the cting Attorney General to the President of the of collecting debts. Is it to be understood that nited States in relation to the aggressions of the punishment of counterfeiters of the national Acting Attorney General to the President of the United States in relation to the aggressions of General Sickles upon the Judiciary Department the Government. We need hardly add that it

was promptly followed by the removal of the offi-ATTORNEY GENERAL'S OFFICE, August 24, 1867.

MR. PRESIDENT: Circumstances have devolved

ipon me the duty of laying b fore your Excellen-

e of this Department which appears to the un-

cy, without delay, a matter arising within the pro

dersigned to be of great gravity and of imminent Herewith I respectfully submit documents marked from A inclusively to O, in which the folthe foremost officers of the army. Dissat- lowing administrative difficulty develors itself for solution by the Supreme Magistracy of the Re-

> STATEMENT OF THE MATTER At the regular stated term of the Circuit Court of the United States for the district of North Car-olina, begun and held at Raleigh on the first Monlay in June last, Chief Justice Chase presiding ong other civil actions which passed nert were two, in which parties, named David nd Daniel Kahnweiter, were defendants of record as I am informed. I have no particulars respect ug said suits beyond the essential fact that, i due course, after judgment against the defend nts, the proper writs of execution were regularly sned and placed in the hands of the marshal Daniel R. Goodloe, Esq., for the purpose of hav-ing them served against the property of the de-fendants. The marshal charged his responsible leputy, Mr. Neff, with that duty, who, before executing the process, was expressly forbidden so to

ost of Wilmington. Upon information of the action of the comman of said post, the marshal, who was at Ral gh, addressed a respectful letter to the superio licer of the former, Major General Sickles, i hich the marshal of the United States for the indicial district brought to the knowledge of the commanding officer of that reconstruction district the fact that the process of the Federal ourts was obstructed by one of his own subordi ate officers. (B).

lo, in a writing to that effect, (A,) by R. T. Frank

Marshal Goodlos does not appear, from thi mmunication, to have addressed himself to teneral Sickles in the manner of a ministerial fficer of justice on the occasion of a riotous or otherwise formidable resistance to civil process, emanding of an officer of the army the necessary military support, as, it seems, might have been lone with perfect consistency, and with unquestionable obligation upon the officer to respond hether the offenders were or were not tre the United States under his command; but Mr Goodloe appears to have anticipated with confilence the prompt interposition of General Sickles for the vindication of the law, as the supreme ob ect of his allegiance. He also reported his action to this office, with copies of the several papers .-

Upon receipt of these a reply was made the marshal, to the effect that no further action rould be had here in the absence of information rom General Sickles. (D.) It was confidently believed in this office that the obstruction would e promptly removed by command of General ickles, or that if he thought fit to he sitate in that utv. he would not knowingly suffer his authority fall into collision with that of the national ju-Government. Under date of the 8th instant, owever, some ten or eleven days after the obtruction of process began, the marshal reported hat he had received no response to his communication to General Sickles referred to, and had seen action of Colonel Frank had been formally con-

Hereupon, it was deemed unbecoming for this ensible, in any degree, to the paramount dignity of the civil authority, and, accordingly, such in-structions were communicated to the marshal under date of the 13th instant, as should compor with the statutes in force for the protection of th judicial power of the Government. He was further astructed that, in the opinion of this office, the military authority imparted by the statutes in force for the reconstruction of the Southern States nearly the same words, by the Chief Justice of the Inited States, on the solemn occasion of his open ng the Court, whose authority is thus condemned (H.) Under date of the 20th instant, a report was received from Marshal Goodloe, in which he closed a copy of the following communication

HEADQUARTERS POST OF WILMINGTON, N. C. Mr. J. H. Neff, Deputy United States Marshal, Wilmington, N. C.:

Sir: My action in suspending, until further rders, the execution of certain decrees of the Inited States courts in North Carolina, attempted to be enforced in violation of General Order No. Military District, having been approved by the Major General commanding, I shall not permit, until I receive further orders, the judgment or decree of any court to be enforced in violation of existing orders, and shall use the necessary force so to prevent it.

Very respectfully, your obedient servant,

Brevet Lieutenant Colonel, and Captain (K.) Eighth Intantry, Commanding Post. The marshal adds that, in obedience to his instructions of the 13th instant, from this office, he will report the case to the District Attorney for 291. his action under the criminal laws of the United states, which, he says, is all that can be done in the presence of an overpowing military force, until the Government interposes. By this time it this course, except that asserted by the is presumed that the proper District Attorney has occived due information of the offence. (L.) As yet no express instructions have been issued to that officer in the premises. He is, of course, expected, and will be required to act with what-

ever resolution the occasion may call for.

In the latest report received from the marshal which bears the date of the last mentioned, he announces that the letter which, in the first instance, he addressed to Major General Sickles. and to which he has received no reply, has been returned to him through the post commandant at Wilmington. He mentions an endorsement there on of several inquiries addressed, as he is understood to say, to him, dated at Charleston, August 12; but he does not state whether or not any signature was subjoined to them. He furnishes no a copy of his own, made in response to those re ferred to, on the same letter. In his endersement, the marshal recites, apparently, some of the former: "Where and when the several causes of action accrued; whether the actions were for lebt or other causes; when the suits were begun when judgments were given, and when final process was issued," etc. If the object of these inerrogatories was to elicit data upon which Genral Sickles could determine whether or not the proceedings were regular and valid which had been conducted to judgment according to law, United States, I must say, that it would be difficult to imagine a more preposterous affront to the Bench of Justice, legally considered, than to

thus attempt to constrain, or to invite, the minis terial officer of the court to inquire into the validity of its process in his hands. The marshal, with due propriety, declined to engage in the investi-gation. (M.) Finally, by communication of the 22d instant. copy of which is herewith annexed, (N) the approval of the Law Department is communicated to Marshal Goodloe, with instructions substantially to the effect that he shall continue to execut court; that he is not bound to expose his person to manifest peril; that when menaced by force, as in the present instance, he shall report the parti culars, and names of all offenders, with their aiders and abettors, to the District Attorney, as he has done in the present case; that he is required to deport himself as inoffensively as possible, but that he is not authorized to compromise the dig

nity of the court, whose servant he is, by descend ing to negotiate with any person, however respectable, for the privilege of executing its authentic process, or of obeying the laws; and that the whole difficulty is to be promptly subto the Executive. Thus the matter stands. Although it does not, in the humble opinion of the undersigned, qualify, in any degree, upon established and unquestionable principles of legal bligation, the relation which General Sickles and his subordinate officers and soldiers bear to the ment of persons who obstruct the administration of justice in the courts of the United States, yet it may be just to mention here, that the remarkable action of that distinguished officer appears to have been prompted by the real persuasion that an orued by himself in April last, of which, from an official copy, I quote entire the paragraph that touches this question, is of such uncommon dig-nity that it is his duty to enforce it, in its largest

struction, in defiance of the Constituti Statutes at Large. The following is the order : "Judgments or decrees for the payment of money on causes of action arising between the 19th of December, 1860, and the 15th of May, 1865,

Much more absurd would it have appeared in a privilege been imparted by general order e privilege been imparted by general order of e United states to institute suit and realize, on execution against a defaulting public agent a debtor, where the cause had arisen between 19th of December, 1860, and the 15th May, 1865. But the expediency of criminal prosecutions is at least as fully lodged in the discretion of the the punishment of counterfeiters of the national currency, robbers of the United States mail, etc.—

in the Carolinas-is conducted by tribunals deriwho so far forgot his obligations to the law of ving their jurisdiction from the forbearance of Exceptive agents? There seems to be no probability that the order in question contemplated a usur-pation so gross, and so perilous to the good name of a loyal officer. Could it have been anticipated that upon a loose implication from an order promulcated by a military officer, charged within a circumscribed locality, with anomalous civil duties under a provisional system of restorative legisla tion, the judicial establishment of the Republic was to conceive itself ousted of jurisdiction, stripped of authority, and degraded to subvervi-ency? Was it expected that the judges, in conseace of such an implication, would unfaithfully umn their backs upon petitioners for justice? seems not. The construction which applies the order in question to the courts of the Union, is evidently an after-thought. The order is dated 11th April. On the 6th June the Chief Justice pened the court in Raleigh. nnounced in substance, for the information of all arties concerned, on the occasion of seating himof on the bench, that it was incompatible with ocess, and that it was solely in consequence of he fact that no such m litary authority then existed be implied that he felt willing to hold that court, was rendered tution. notorious by general publication in the newspapers at the time. The order expressly forbids the unit. In the Constitution it is mentioned in the institution or prosecution of certain suits. The singular number, and the reasoning of the Suhe bar and the people referred to, and the suits

an officer of the army, having command of the United States soldiery stationed at the military inder the constitutional independence of the jujustice from the locality, no steps, as pon the judicatures of the States, whose resustation has been confided to the management of Major General Sickles, and, especially, with the

xpediency of it, the present matter is not in the

I respectfully submit that the case is one of simply the case of a high misdemeanor, legally nplated. But in view of the respectability of the principal offender, and the corresponding danger to the higher dignity of the law, I under stand that it is deemed necessary, in thus laying before your Excellency the facts and documents. to ancex to the foregoing statements some cita-tions and reflections, which appear to the under gned to benefit the grave oc asion of an incini ent attack by arms upon the Department of Jus-

It is respectfully suggested as a principle, upon which difference of opinion cannot be anticipated in this country, that there is no rightful authority here which is not derived from the Constitutio and laws of the United States.

It would seem to be highly impertinent to attempt to establish the proposition, and almost as impertinent to argue this necessary result, viz hat all military authority must be mediately o directly imparted by, and consequently depend iciary without first communicating with the seat ent upon, the civil authority. Action by military persons, therefore, which is outside of this principle nust be unlawful; and if done with intent to resist hat principle, as embodied in the Constitution and statutes, such action, if overt and with arms, is treaon against the United States. Military power is t announced as a fact in the newspapers that the but a form, in which the civil, which is the only authority, manifests itself in action. A conflict, herefore, between the civil and military authority of the same sovereignty is logically impossible, un branch of the public service to appear longer in- less through the fault of agents, either civil or military. The laws of a country must, and the ministers of those laws may, be in harmony; but hey may not; and this from innocent or from cul-able motives. These principles are of the utnost importance to public order, and have been o recognized by politicians of every school, and partisans of every faction of note from the founlation of the Republic. Surely, no political party will repudiate, as none can exclusively claim, these essential conservative principles. No candid perdid not extend in any respect to the courts of the United States, (G.) The same had been said, in son would hesitate to accept their substance as outset most of the extraneous matters tending to implicate the unfortunate collision occurred and may be warranted, I think, in inquiring whether it is anything in law but a misde-meanor in violation of the laws in force for the furtherance of the judicial power?

But the high rank of the principal offender, as before suggested, and the salutary public objects to which his exhorbitant action would probably be ascribed, no less than the great magnitude of the power with which he could support his error should he feel juscified in such a course, are curcumstances which give the occasion an extrao dinary character, and inspire the undersigned with that sense, both of its delicacy and importance, which demands the introduction here of the principles of the subject, as pronounced by standard authorities.

POWER AND SPHERE OF THE JUDICIARY. Chancellor Kent says: "The judicial power ne United States is, in point of origin and tide equal with the other powers of Government, and is as exclusively vested in the courts created by or in pursuance of the Constitution, as the legis-

lative power is vested in Congress, or the execu-

tive power in the President." (1 Comm., 290, The Federalist, No. 78, is an elaborate and lu minous exposition of the central idea that "the independence of the courts of justice is peculiarly essential in a limited constitution." Mr. Justice Story says: "The importance of the establishment of a judicial department in the National Government has already been incident-The want of it constituted one a.ly discussed.\* of the vital defects of the Confederation. And every Government must, in its essence, be unsafe and unfit for a free people where such a departnent does not exist, with powers coextensive with the legislative department. Where there is no indicial department to interpret, pronounce, and execute the law-to decide controversies, and to enforce rights-the Government must either perish by its own imbecility, or the other departments of Government must usurp powers for the purpose of the commanding obedience, to the destruction of liberty." (2 Story Const., §1574.)

The same authority says, speaking of the judifull transcript of these endorsements, but reports | cial department : "To the people at large such an nstitution is peculiarly valuable, and it ought to be eminently cherished by them. On its firm and independent structure they may repose with safety, while hey perceive in it a faculty which is on y set in motion when applied to, but which, when hus brought into action, must proceed with competent power, if required to correct the error or subdue the oppression of the other branches of Government." (Ibid, §1576.)

And further: "The framers of the Constitution. having these great principles in view, adopted wo fundamental rules with entire unanimit first, that a national judiciary ought to be estab lished; secondly, that the national judiciary ough to possess powers coextensive with the legislative department." (Ibid, §1577.)

The convention which framed the Constitution voted unanimously for the perpetual and invinci-ble independence of the judicial department.— (Journal of the Convention, Ed. 1808, pp. 100, 188.

The Supreme Court of the United States says "The object of the Constitution was to estabish three great departments of Government: the egislative, the executive, and the judicial departments. The first was to pass laws, the second to approve and execute them, and the third to exound and enforce them. (Martin vs. Hunter, 1

Authority on this point is so uniform, that the above may conclusively establish the sanctity, the dignity, and the authority of the national department of justice. President Washington "considred the judiciary the chief pillar upon which our National Government must rest," and immediately upon the organization of the Supreme Court addressed to the justices a respectful letter, having previously addressed each one separately, in which he expressed his sense of the value of their inde pendence of operation, and solicited their instruc-tion. (See vol. 10, Sparks' Writings of Washing. ton, pp. 35, 86.) I could not with greater hum ity conclude this particular topic, with my-own general impressions concerning it, than by offer-ing them in the unimpeachable counsel of Judge

"Nothing,', says that great minister of justice "is more facile in republics than for demagogues, under artful pretences, to stir up combinations against the regular exercise of authority. Their selfish purposes are too often interrupted by the firmness and independence of upright magistrates, not to make them at all times hostile to a power which rebukes, and an impartiality which condemns them. The judiciary, as the weakest point in the Constitution on which to make an attack, is, therefore, constantly that to which they direct their assaults; and a triumph here, aided by any momentary popular encouragement, achieves a lasting victory over the Constitution itself. Hence, in republics, those who are to profit by public commotions, or the prevalence of faction, are always the enemies of a regular and independent administration of justice. They spread all sorts of delusions in order to mislead the public mind and coasts the public praindings.

trial.

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(2 Story Const., §1611.)

We must, then, as we see, recognize the Judiciary as the third part of the Government; and let us now inquire what is the sphere of its authority? This is the same as the question, in what branch of the Pederal courts.

The Constitution ordains:
"The judicial power of the United States shall e vested in one supreme court and in such in-

and equity arising under this Constitution, the sof the United States, and treaties made, or which shall be made, under their authority ; to all cases affecting ambassadors, other publi ters and consuls; to all cases of admiralty and through the instrumentality of the national courts | the United States shall be a party; to controver sies between two or more States; between a State and citizens of another State; between citizens different States and between a State or thereof, and foreign States, citizens, or subjects.'

(Ibid, § 2.) We see here that whenever, within the territory of the United States, irrespectively of persons or of circumstances, a matter of controversy arises which is distinctly comprehended under any one of the clauses above quoted from the Constitu tion, and which is in such a posture as to be susceptible of judicial action, it must go without adjudication, or else it must be adjudicated by the urts of the United States. This provision being organic, it is not in the power even of the Nationa Legislature, if that body could be supposed eve to have made the attempt, to refer the adjudication of any one of such cases, against the consent of the parties, or in derogation of the power of the Judiciary, to the Executive power, or to any power or agency whatsoever. For example, a controversy arising upon a contract between citizens of different States. Under this organic prosit where vision, the parties have a right to put the Federal the authority of the national judiciary to sit where vision, the parties have a right to put the Federal indiciary authority existed which could impede its judiciary in motion for the settlement of their dispute, and it is obvious that this right cannot be impaired without an amendment of the Consti-The "judicial power of the United States" is a

ourt was held, after the solemn publication to preme Court in the case of Martin vs. Hunter, is to the effect that so much of it as the Constitution left Congress to vest in inferior courts was in question herein were prosecuted, all in open ontempt of the order and of all others tending to incapable of segregation, and, consequently, vestuder the constitutional independence of the ju-Yet, until after the departure of the Wheaton, 330 ] As a power, then, it is to be con eived of as omnipresent within its constitutional r as I have information, were taken to enforce | sphere, and, consequently, with respect to the dignity of lawful judicial process, the source of th With the validity of the order, as operating same is not of the least significance, and the laws forbidding obstruction of it make, consequently, no distinction. The contumacy, therefore, which would be more vulgar if offered to a writ held in the hand of the Chief Justice of the Supreme Court, would, in respect to the consolidated judi cial power and dignity, be of the same legal qualhose which lie within the purview of the statutes ity as if the like writ was despised in the hands of the humblest servant of a court of the lowest struct the process of the United States, and is grade in the system. Thus much as to the paranount authority of the judiciary in all matters to which their power is extended by the Constitu-tion, acting through the courts and officers who are the organs of the power. To resist that power anywhere, and in any matter within its cor tiona! sphere is to resist the whole of it, and to aspire to an issue with the Judicial Department of the Government.

It might occur to some minds that if this power over the subject matters confided to it by the organic law be supreme over the Legislature and the Executive, and, of course, over the military branch of the Executive, it might, in any give case, be misapplied by the error or crime of Judge. But this, like every other evil with which we may lawfully cope, without, in accordance with its provisions, amending the Constitution, has en anticipated and provided against in that instrument. For misconduct, impeachment is provided; and for error, the right of, and all necessary facilities for, appeal to another court. The apreme Court, it is true, cannot be supervised but it has no original jurisdiction with two exceptions only. Such is the character of the judicial power, as the only and last resort for the settle nent of a class of cases and controversies enumerated in the Constitution. (1 Cranch, 177

But the action of the judiciary would be wholly neffectual, and the power would not be co-ordi conclusive and binding upon the other branches of the Government and the entire people of the country; for all the proceedings of a court are judgment remains in force, it is in itself evidence. inducted for the sake of the result, which is the final process. A control, then, over the final process, is a control over the whole proceeding. But a control over the whole proceeding is a control over the court, the judges, and the parties. This would not be controlling, but abolishing the court, whether he who abolished it did not continue to employ its judges and methods of business for the adn tration of his will. That he did so in one case is the as if he had done so in all case on would hestate to accept their substance as if he did it by permission of the court, it was the not set of the extraneous matters tending to he did it without permission, and because, in his opinion, it was right for him to do so in that case, he may do so in any other case in which he forms a similar opinion; and as it cannot be foreseen what opinion a man may form, it cannot be foreseen in what case he may think he ought to interfere and if any case is liable to interference, no case is certain of reaching a judicial result, and, under such circumstances, there can be no legal adjudication, and, consequently, no court. This shows the real necessity of a judicial authority which is securely fortified against all possible interference while the state of society admits of judicial ses-Such being the nature of the judicial function

at its power in the Federal Government, it is obvious that the territorial field of its operation is co-extensive with the national domain, which, with respect to the judicial power, considered as a unit a single territory, subject to be divided into places of jurisdiction as may be most convenient for the purpose of administering justice. But with respect to the subject matters of judicial cognice, it is far otherwise. A large proportion of them presuppose, in their existence, organic georaphical divisions, as into States, inchoate State and the seat of General Government, the District of Columbia, These are political divisions. Judicial divisions exist, but they are altogether independent of them. These are adapted solely to the presumed expediency of administering the judicial power, and may be altered from time to cide in some degree with political and other divisions of the national domain. But they are not necessarily coincident with such. They are places of jurisdiction. Circuits are composed usually of several entire States, and districts are some times composed of parts only of different States. This does not affect the causes of action over which the judiciary shall exercise exclusive control. or they remain the same as if each State of the Union was a district, and only districts were established, and no circuits. When a cause of action, or a criminal infraction of a law of the United States, arises for the action of the Federal judiciary, the cognizance of the latter is forthcom and the only question is, in which district or circuit shall it be taken?

The common territory of the nation is also subdivided for other purposes, as for the purpose of collecting taxes, duties, &c., by act of Congress, directly or through executive agents, empowered o to do, by Congress. Such divisions, like the udicial provinces referred to, are subject to hange at the pleasure of Congress. The reconudicial p struction military districts in the South are examples of districting for specific and temporary purposes. But here arises a most important distinct tion between judicial geographical divisions and those of any other kind which have ever been created by Congress. Until the 24th September, 789, (1 Sat. 73, et seq.,) the judicial power of the United States was not all vested. Upon the passage of the celebrated act of Congress of date, organizing the inferior courts of the United States, the whole judicial power, not directly vested in the Supreme Court by the Constitution, vested in the supreme court by the constitution, vested in the courts so created. This proposition having been laid down after solemn argument by the greatest of our judges, and never since dispu ted, must be accepted as unquestionable. It follows from this that the power of the legislature cannot go beyond the modifying and changing from time to time, as in their wisdom may seem expedient, the organization of the courts and the divisions of the country into judicial provinces. But having once vested the judicial power, which as we are instructed, Congress was bound to do. that body cannot have the power to vacate a judicial tract. But it is otherwise with the districting for revenue or other purposes. The Constitution has not inhibited their total abolition at the pleasure of Congress. But there is another reason why Congress could not abolish the judicial districts of the United States, though they may, and frequently do, change their boundaries. The Conprocess which is now in hand could be justified stitution provides: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law." (Amendment Const., Art. vi.) A power to abolish all judicial districts would, therefore, be a power to abolish all criminal jurisdiction of the United States, which would defeat the law-making power itself. The judicial provinces of the nation are, then, something more han revenue provinces, or reconstruction provinces-employing the latter term for clearness o distinction. Though subject to the modification of their boundaries, as may be expedient, the territory embraced in them cannot be either exonerated from the power of, nor deprived of the right to, the national machinery of justice; except, in-deed, when violence prevents the operation of that machinery, but then only while the interruption continues to prevent the regular judicial sittings. A violence cannot, of course, come from the legis lature itself; least of all, through a mere con struction of its acts, passed with objects extremel remote from such a purpose.

What, then, is the status of that judicial province, which is designated by law the "District of North Carolina" with respect to the sanctity of civil process? By the act of Congress of 4th June, 1790, 1 Stat.

writs, and proceedings whatsoever, pending, or which may be pending in said courts, or rett rnable thereto, shall have day therein, and be heard tried, proceeded with, and decided," etc. Is this act repealed? It will not be pretended that an act of Congress of the United States has been repeated by circumstances. If ever Congress has been repeated by circumstances. If ever Congress has impaired a constitutional judicature, once established for the people, it was not by an implication, but such as could be reconciled with no other reasonable interpretation of the statute currents. but such as could be reconciled with no other reasonable interpretation of the statute supposed to work such appeal. In the present matter, however, the opposite implication, from an act which er, the opposite implication, from an act which took effect on the same day with the first of the reconstruction acts, amounts almost to an express provision for the continuance of the North Carolina District, in common with all the others, as fol

That the Chief Justice of the United State and the associate justices of the Supreme Court shall be allotted among the circuits now existing, by order of the court, and whenever a new allotm shall be required or found expedient, by reason of alteration of one or more circuits, or of the new appointment of a Chief Justice or associate justice, or otherwise, it shall be the duty of the court to make the same, etc. (Act of 2d March, 1867.) The circuits (and consequently the districts composing them) "now existing," ie., existing on the day the first of the reconstruction meason the day the list of the reconstruction measures took effect, were the express basis of the allotment, to authorize which was the object of the above quoted provision. The possible "alteration" of said circuits was anticipated, showing that until one or more circuits should be altered by law, they were not to be otherwise recognized than as heretofore. Accordingly the following is of record in the Supreme Court, under date of Monday, April 8, 1867

"Ordered, That the following allotment is made of the Chief Justice and associate justices of the Supreme Court of the United States, among the courts, agreeably to the act of Congress in case made and provided." The assignment of the several justices is sub-

joined, among which the following appears: "For the Fourth Circuit, Salmon P. Chase Chief Justice.' The first section of the act of Congress of 15th July, 1862, that the interruption of the sessions by rebel violence was the only change which Congress was willing to recognize in the judicial bu

ness, provides:
"Hereafter the districts of Maryland, Delaware Virginia and North Carolina shall constitute the Fourth Circuit. (12 Stat., 576.)

It is thus made apparent, not only by earlier, but by extemporaneous legislation, of the same session, by the same individual members, and almost on the same day, that whatever, under the Constitution of the United States, either of authority or jurisdiction, attaches to the districts and circuits as they stand in the statute book, was intended to be, and must be deemed and held to be, of full force and virtue now as heretofore. But we have seen that a tract of country, composed of States or parts of States, once brought under the operation of the judicial power, cannot, without revolutionary violence, be deprived of or exor erated from it. Violence is the only recognized exception, and that, by Congress, as we shall here after see, is recognized only while the violence lasts, and then as an unlawful derogation from

the judicial power.

If it be admitted that the judicial power is intact in the district of North Carolina, though the subject matters of its authority are limited to a category, it is certain that upon those subject matters, the courts of the United States for that listrict are the supreme authority of the United

The high prerogative of the independent judiciary may be well illustrated, in closing a sketch of the Department of Justice, by a word respecting the conclusive and binding character of a judg-ment at law. It may be rendered even by an inferor court; but, if the court is competent, the judgment may be defined to be the very land for the particular matter adjudged. (Rawle, 289.) To "suspend" a judgment in a manner not pointed out by the law is, therefore to suspend the law. The Supreme Court says: There is no principle of law better settled that result, in a proper case, was that every act of a court of a competent jurisdic tion shall be presumed to have been rightly done of the right of the plaintiff to the thing adjudged, and gives him a right to process to execute the judgment. The errors of the court, however ap parent, can be examined only by an appellate power." (Voorhees vs. Bk. U. S. 10 Peters. 472

Surely we need not inquire whether the Legislature of the Union has attempted to vest particular executive or military officers an "appellat over judgments, "however erroneous which have been pronounced in a court of the United States. Let the inquiry rather be whether the right of executing process which has issued upon such a judgment is anything else but one of the very "rights of person and property," which if the plaintiff seeks to execute it within one of the reconstruction districts, the commanding offi-cer is charged to "protect" by the express terms of the reconstruction laws? (Act of 2d March, 1867, sec. 3) It must be beyond dispute, if the anthorities and the statutes which have been in roduced are accepted, that the right of litigating in the Federal courts, and the right of being tried in them for violations of the criminal code of the United States, and, of course, the due conserva tion of their authority in every form, are a part f the rights to be protected, and the duties to be performed by the respective commanders of the re-construction districts. In this view, the error of General Sickles reaches the full stature of a per-version of authority, which if persisted in, must mmediately acquire the character of the crime of evying war against the United States, an undertaking which would not for a moment be imputed to the deliberate intention of an officer honorably distinguished for his gallantry in defence of the

But, it might be said, may there not have been

a doubt as to jurisdiction? Certainly in this, as in any other matter, there may have been a doubt. But it would insult the intelligence of the com-mander of the Second Beconstruction District to inquire whether or not he supposed himself au-thorized by law to forbid the Supreme Court of the United States from hearing causes affecting persons inhabiting the States of North and South Carolina, without his consent. Naturally no person could hesitate whether he had such power, without considering whether it was not his duty to coerce the court by arms if it should resist him? We must take it to be certain that it could not have been in the contemplation of Gen eral Sickles, when issuing his order No. 10, to dis pute with his sword the authority of the Supreme Bench. Yet, it is equally certain, that if he had been disposed to ascertain his authority, through an adjudication by a competent court, a decision might have been procured with the greatest facility. A defendant could have raised the tion of jurisdiction in nearly any case at the term judgment was then adverse to the power of General Sickles, it must have appeared easy to procure a final and conclusive decision in the Supreme Court on a writ of error. If that officer had a doubt on this subject then, he must have known the only lawful course for its solution. Where a difference arises between a military agent and a court as to the jurisdiction of the latter, and the former presumes to decide it for himself in his own favor, the act can bear no other name than usurpation. But it may be thought he did so only as to the inferior court, and not as to the Supreme Court. Now, though he may not have suspected the fact, a moment's reflection must show that the interference which is under consideration was an interference by General Sickles with the judiciary, including the Supreme Court of the United States, as a whole, and theforce which, through his subordinate, Colonel Frank, was threatened against the process of the Circuit Court, cannot, I think, be distinguished in law from a similar threat, rudely directed, to the judges of the Supreme Court at Washington.

The process, which was in Marshal Goodloe's hands might, and, indeed, for aught that appears here, may have been process issued in pursuance of a mandate from the Supreme Court, remanding a cause with directions for further proceedings in conformity to the decision of that court. A control over such process, as before remarked of any final process, would be a control over the whole proceedings, and the court itself, its august judges of their judicial will. Moreover, if final process may be controlled by the order in question, so may mesne process, or any step in litigation; for the order expressly commands that certain suits be stayed, and that like suits, not yet initiated, shall not be instituted. If the interference of so could an effectual interference, at any stage, and in any case, at his pleasure, in the Carolin districts, be made by General Sickles to prevent all appeal to the Supreme Court. This, tially, is ousting the jurisdiction of the Supreme Court itself, abolishing the Federal courts as such in the locality, separating his district in one vital particular from the national body politic, and deoriving Congress, the Executive, and the people of all means of enforcing his subordination to the United States, except by force of arms. The virtues of no man may be permitted to authorize him to aspire to so dangerous an independence of his fellow-citize So, if there had been a doubt whether the powers of the United States were affected by the re

construction laws, the proper way to solve it was the very thing which would be totally occluded by on which has been taken in the premises. But is there so much as a doubt

THE RECONSTRUCTION STATUTES. Three acts of Congress pass under the designation of the reconstruction laws, viz: those of the 2d March, the 23d March, and the 19th July, 1867.— The preamble of the first declares a state of political and social dissolution to be impending or actually existing in several States of the Union, and that, in consequence of their condition, and for the purpose of effecting their restoration, the pro-posed legislation has become necessary. Suppos-ing the conditions to be as declared in the pream-By the act of Congress of 4th June, 1790, 1 Stat. 126, it is provided:

"The said State shall be one district, to be called the North Carolina District; and there shall be a district court therein," etc.

By the act of 15th July, 1846, (9 Stat. 38,) it is provided that "the circuit courts of the United States for the district of North Carolina, shall be held on the first Monday in June, \* \* and all actions, suits, appeals, recognizances, processes, the prostration, as would be conceded; and

was to be restored. In respect to the revenue, the mails, etc., I have heard of no such destrucseries of provisions in the several acts contains nothing in which I can perceive a source for such an astonishing misconstruction. On the contrary, the rollowing act, which like the act relating to he allotment of justices, took effect on the sam day with the earliest of the reconstruction acts, appears to demonstrate the opposite view.

"An act relating to appeals and writs of error to

the Supreme Court:

"Be it enacted, &c., That where any appeal or writ of error has been brought to the Supreme Court from any final judgment or decree of an inferior court of the United States, for any judicial district in which subsequently to the rendition of such judgment or decree the regular sessions of such court have been suspended or interrupted insurrection or rebellion, such appeal or wri ing the time limited by law for bringing the same may have previously expired; and incases where no appeal or writ of error has been brought from any such judgment or decree, such appeal or writ of error may be brought within one year from the passage of this act. The provisions of this act shall not apply to any case in which the right to bring an appeal or writ of error had expired be-fore such suspension or interruptions of the regular sessions of the court." (Section 1, Act of

March 2, 1867.)
This act, if regard be had to its special object, may be taken to be in pari mi eria with the re-construction laws, and to the like extent, under the rule, they are all to be read as one law. Like the three acts above mentioned, the object of this was to remedy mischief, which had arisen out of the rebellion, but for the purpose of this remed the judiciary, and not the district commander. were to be the instrumentality. Rights of appeal which had not yet expired by lapse of time were cut off by circumstances. These circumstances continued until the limitation expired, and with it the right, after which they ceased. The object, now, was to revive said rights. The circumstances which had intervened, and which had now ceased, are denoted in the act. They are thus de-defined in it. "The regular sessions of the court Hes have been suspended or interrupted by insurrec-tion or rebellion." This act by unmistakable im-plication, shows on the day of passing the printion of the suspension or interruption of the req ular sessions of the court by rebellion, etc., the judicial establishment was perfectly intact, as if there had been no rebellion and no occasion for restorative legislation. That this only interruption had, to the mind of Congress, wholly passed away, at least, on the 2d March, is evident from Re-direct: Have heard the persons the fact that the act was passed granting a thing to be done now on the express ground that by formerly, and requiring that it be done within

take effect, as it runs elsewhere. Such, in respect to its dignity its power, and the unimpaired integrity of its machinery, is the juguard its supremacy in the administration of jus-PUNISHMENT FOR RESISTING JUDICAIL AUTHORITY.

one year hence, as otherwise the time which, in the

shall run in the districts where the relief is to

The following provisions, among others, belong witfully obstruct, resist, or oppose any officers of the United States in serving, or attempting to witness for the Defense.] serve or execute, any mesne process or warrant, or any rule or order of any of the courts of the United States, or any other legal or judicial writ or in serving or executing any writ, rule, order, or process or warrantl aforesaid, every person so

snowingly and wilfully offending in the premises.

three hundred dollars. Act 30th April, 1790, sec-Mr. Justice Washington, in refusing to give up is in the power of the party to enforce (United States vs. Lowry, 2 Wash., 763.) Any obstruction to the free action of the off C C, 639.) And what is "process" under this act? The court says it embraces every legal process

date, or impede any juror, witness, or officer in any court of the United States in the discharge of his duty, or shall, corruptly or by threats of force, obstruct or impede the due administration of justice therein, every person or persons so offending shall be liable to prosecution therefor, by indict-ment, and shall, upon conviction thereof, be pun-1 shed by fine not exceeding five hundred dollars. or by imprisonment not exceeding fiftee months, or both, according to the nature and aggravation of the offence." (Act of 21 March, 1831, section

These laws are in force. If the President could done with these? I shall consider, before concluding, the peculiar energy with which the executive department is bound to act where the prerogatives of the unarmed but majestic judiciary are insulted. The execution of the criminal laws of the United States, and especially all such as are intended to guard judicial authority, belongs, under the President, to the supervision of the At-torney General. It happens thus to devolve upon this office to reflect the indignation which the law encourages in the judicial breast against an inthe national sword is confided puts itself in motion for the vindication of the constitutional ministers of justice.

RESPONSIBILITY OF THE EXECUTIVE.

It is not without diffidence that the importance of the occasion evokes a further and final remark touching the legal responsibility herein of the President of the United States. Whatever becomes a law, contemplates for itself that it shall be executed. It is thus with the rev

enue laws, the postal laws, the criminal laws and the military laws; and it is thus with the reconstruction laws, which the present Executive feels bound to carry into effect, in their true intent and meaning, ascertained upon those principles of in-terpretation which are themselves a tacit but sublaws of any country must be presumed to be in harmony with each other, and, therefore, should ciliation of them is a judicial work, if under th conditions of the case, the discrepancy is capable of judicial action. If not, still as the conflicting laws must be executed, so they must be reconciled, and consequently, in such a case, those who must execute, must also to that extent interpret the laws. If the Constitution be one of the laws in question, the principle is of course the same, unless, indeed, it be of stronger application.—
(Chief Justice Marshal, 1 Cranch 177, 178.)

For the purpose of the cranch 177, 178.) For the purpose of this execution of the laws, however, there must be an executive power. This power must be vested, or else the country has no Constitution. It may be vested, as the judicial constitution. It may be vested, as the judicial power under our Government is, in several persons or departments; or, as in some countries, in a large assem!ly; or it may be vested in a single individual. Wherever it is vested, there is the corresponeing responsibility. If the courts of justice are to be protected from degradation, it can only be through the executive power of the State. t cannot be by the law-making power, because its ws are ineffectual without execution, and that in impossible, against resistance, without physical force. This, then, is a case for Executive intervention, which, considering the transcendant value of an independent judiciary, is of the utmost the independence of the judiciary is not attacked, of the parties on trial. Thinks that John but only that the execution of a law, by an executive agent, involves a conflict with the pretensions of the judiciary. The latter would seem to be the view of the officer charged with the execution of the reconstruction of the Carolinas; and he is an A. E. McKay, sworn: executive officer. But jurisdiction is a judicial, question, and one which the judiciary has, in this

instance, decided; and decided against the executive officer. The latter, not acquiescing, the case would resolve itself into a case of a collision between the Executive and the Judicial departments of a common government. That defines a revoutionary relation between them.

But has that revolutionary relation arisen? think not. If the Executive power of the United States resists the judicial power of the United States, there is, indeed, such a relation. But the Constitution of the United States provides—

"The Executive powers all be vested in a President of the United States of America." Art. II, this.

how much did the judicial department partake of it? If the object was to reconstruct what had fallen into ruin, so that it should be restored to good order, shall that which is in good order be overturned? Obviously, what was left of order to the sole expected, and what was in disorder was to be conserved, and what was in disorder the restored. In respect, to the revenue. unless the President premptly represses the con-tumacy thus disclosed to him, he will be exposed to the just imputation of a culpable insensibility tive interference; but in respect to the courts, the disposition is exhibited to destroy. Yet the whole of the national department of justice. Contemp of the national department of justice. Contempt of law indulged, speedily grasps at the heart-strings of public order. So teaches history.

Very respectfully, your obedient servant, JOHN M. BINCKLEY, Acting Attorney General. To Andrew Johnson, President of the U. S.

From the Raleigh Sentinel. THE MILITARY COMMISSION.

United States vs. Tolar, Powers & Watkins

Wednesday, Aug. 28, 1867. Duncan J. McAllister, sworn: Is a far mer; lives eleven miles N. E. of Fayetteville. Know John Armstrong (an important witness for the prosecution) and his general character for truth; it is not good

has known it for some time.

Cross Examined: John Armstrong is about thirty-five or forty; he used to be long to Mrs. Jennie Armstrong. Her plantation is in my neighborhood. John has lately been living at her son's. Have heard his character called to question by Mr Stuart, Mr. Murphy, Mr. McKoy, Wm. Murphy, Mr. Pemberton, McPhail, McAllister, and several others. Stuart spoke of John Armstrong swearing to a lie about an account against his former master. Heard Mr. Murphy speak of John Armstrong in connection with cattle stealing, and said he would swear to anything. Also, since Sherman's army came by, heard Murphy say that John Armstrong volunteered his services to swear falsely in regard to a

Heard McKoy, who was an officer in the county, say frequently that John Armstrong was unworthy of credit. Heard Wm. Murphy say lately, that he would not believe John Armstrong. Also heard several others to the same effect. Witness was not in Fayetteville when Bebee was killed. Is an acting Magistrate in the neighborhood, Re-direct: Have heard the persons above

named say that the character of John Armsuch interruption it could not have been done strong for truth is bad; also several others have never heard anybody say it was good. Questions by Court: John Armstrong was never arrested for stealing cattle for want of sufficient evidence. There were deserters from the Confederate army near Fayetteville, during the war, who frequently stole cattle. There are some negroes wit-

> white man, but, generally, he would give preference to a white man's oath. Upon a sworn affidavit, introduced by Capt. Tolar, Griffin Chance (negro) was or-

ness would believe on oath as quick as a

Gurdon S. Deming, sworn: Reside in Fayetteville. Witness' business place is at process whatsoever, or shall assault, beat, or I. B. Davis' store. Was at the market wound any officer or other person duly authorized, house while Bebee's trial was going on; only remained a few minutes: then went back to upper story of Davis' store; looked shall, on conviction thereof, be imprisoned not exceeding twelve months, and fined not exceeding twelve months, and fined not exceeding pavement; he looked like he was just recovering from a fall. The window was raised. The noise attracted witness' attention and he look out the window. Saw a pistol go off and Bebee fell; saw the flash and smoke. Bebee was on the pavement then, about the middle of it, near the S. Baptists. ger, or his lawful as- E. corner of the market house. Heard him s way, for the pur- say "stop pulling me," or something like that. The pistol was about two feet and a half from his head and to his rear and left. whatsoever, whether issued by a court in session, or by a judge, or magistrate, or commissioners, acting in the due administration of any law of the pistol.

There was a compact crowd to his rear, which was in motion. Can't say who fired the pistol.

United States. (United States vs. Lukins, 3 Witness went down and saw Capt. Tolar there, after Bebee was killed; he was in the Again:

"If any person or persons shall, corruptly or by threats of force, endeavor to influence, intimiwalk between his store and the market the house. Saw Sam. Phillips there, after the pistol fired. Don't recollect seeing a single weapon there that day except the one that shot Bebee.

> To the Question: Was R. M. Orrell a Captain of local police in 1865? Objection was made by the Prosecution,

which objection was sustained by the Court. Witness is acquainted with the hand writing of Robert M. Orrell, and testifies that be supposed to be willing to suspend them, it is certain that he has not the power. He must, however, execute the laws. What, then, shall be

It was decided by the Court that the order should not be received in evidence. Cross Examined: Have been living in Fayetteville for the last fifteen or sixteen years. The day on which Bebee was killed was rather cool; can't say it was windy .-

Went over to the market house to hear the trial, but was not admitted. There were twenty or thirty persons there at that time.

Witness looked out at the window, when the ladies got into the carriage and saw ness, who was ordered to bring it to Tolar, Powers and others go to it. Don't Raleigh. He brought it to Raleigh and recollect any exclamations from the crowd; showed it to General Avery, who returned saw Faircloth have a club; saw no one it to witness, who has kept it until a few make an assault upon Bebee. When wit- minutes since, when he re-delivered it to ness went down, after Bebee was killed, I. General Avery, who now has it in posses-B. Davis was standing on the causeway, be- sion. tween the sidewalk on the side of his store | The ball was demanded by the Counsel and the market house; saw him there when for the Defence, and refused by the Prosewitness returned; saw Tolar standing under cution, -but with the promise "to deliver the market house talking with some one. it in good time." missive part of all statutes whatever. But all the While over there, witness heard Isaac Beckton (negro) say "Capt. Tolar shot him."

> not a Mason. Re-direct: I. B. Davis was near the same spot when witness passed him both times. Heard Becton say "Tolar shot him."-Capt. Tolar was then about thirty feet off. There was a crowd talking between Becton

Court adjourned to Thursday, 11 o'clock,

Thursday, Aug. 29, 1867. Wm. J. McPhail, sworn :- Live in Fayetteville. Has known John Armstrong witness for the prosecution) since he was a him; knows his general character for truth and veracity. It is bad. Has heard many persons say so.

Armstrong is about thirty or thirty five patched. One had been fired off. Witness years of age. He has had a bad character A. E. McKay, sworn:-Live five miles

this side of Fayetteville. Knows John pearances, had been loaded sometime; it Armstrong; thinks he is about thirty or had corroded and the powder in the tubes thirty-three; has lived two or three miles was caked. from him. Knows his general character for truth : it is bad.

Cross-Examined:-Is a farmer. Understands by "general character," what the it; it weighed 3 drachms, 2 scruples, less neighborhood say about him. Have heard 1 penny-weight. Witness thinks that the that he was a drinking man, that he was foreign matter on the ball would weigh dishonest, and that he was a liar; have about 1 scruple, less 1 penny-weight, which heard dozens speak of him and all agree in is the exact weight of a round ball that

All process of the Federal Courts run in the name of the President of the United States, because the mandates of the court call him to action as they do all to submission, and he must execute them as laws of the highest sanctity by the whole nower of the nation if necessary.

Billy Stewart (negro) sworn:—Have been living in and about Fayetteville for the last Court.

Cross-Examined: Is scientifically acquainmarket house as a witness in his case, the day he was killed; went up in the room to McKay brought to me. Thought about keeping the bullet on account of this trial, power of the nation if necessary.

Is your Excellency in a state of collision with the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the nation if necessary.

Is your Excellency in a state of collision with the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the result of the national judiciary? If not, since the whole exceptive power is the national judiciary? If not, since the whole exceptive power is the national judiciary? If not, since the whole exceptive power is the national judiciary? If not, since the whole exceptive power is the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the national judiciary? If not is not provided in the nationa ecutive power is thus vested in you by the organic law, and can be divested by nothing but a change of that organic law during your incumbency, it must follow that the "collision of authority" which is the subject hereof, is the mere misdemeanor of a contumacious and unfaithful executives are the steps to warm; was there when Bebee came down. Was sitting near the pistol to witness. They brought it in a basket, covered with a cloth, wrapped up in a paper, and they whisperintumacious and unfaithful execu- "watch out, boys," or any thing else. As ed to witness in a low voice, and refuse live agent, who having offended against the lawBebee went out on the pavement two little to leave the pistol with him. Can't te ful power of the judiciary, has rendered himself liable to prosecution according to law. But the great responsibility which appears to me to arise on such an occasion, where the physical pistol fire.

Bebee went out on the pavement two little with much precision how long the pistol out "shoot him." Witness then heard a pistol fire.

tove when Bebee came down; it was cold been a round bullet. and windy. When Bebee went out on the pavement, witness heard cries of "hold of different leads. him," "hold him," and some one said, The scales used 'shoot him." Did not see a knife or pistol there that day.

Were two or three hundred persons presnor hear any exclamations.

Wiley Smith, or Wright, (negro) sworn :ives about three miles from Fayetteville. Knew Bebee. Was at the market house the day Bebee was killed. Drove Mrs. Massie there in a Rockaway; stopped the carriage about ten feet from the pavement on the east side of the market house. Mr. Bond drove Miss Massie there in a buggy then came and took Mrs. Massie and carthere that day.

Witness don't remember seeing any of of excitement.

anybody at the carriage; some men spoke Colts are half an inch longer. to the ladies, but it was in an ordinary tone of voice. Witness only recollects the names A. M. of Mr. Taylor and Mr. Bond. Witness drove the ladies off and came back in about

twenty-five minutes and found Bebee dead. Cross Examined: Mr. Bond drove Miss Massie in a buggy and witness drove Mrs. Massie in a rockaway, and both got to the Philemon Taylor, sworn: Live in Fay-

etteville. Am a merchant; place of business Northeast corner of market square .--Was standing in store door when Miss Mascarriage; did not hear him talk to the la- and Green, gained a decided success .-

carriage left about one minute after the half of his original force." adies got in; it drove down Person street. Witness then went back to his store and stood in his front door and looked towards | Assistant Secretary of War. the market house. Saw Bebee brought down stairs. Witness noticed nothing unusual until Bebee got on the side-walk;

where the pistol fired, to the centre of the him by General Banks.

Cross-E.camined: Can't say there is any relationship between Capt. Tolar and Miss Massie; if so, it is very distant. Witness' store is opposite to I. B. Davis' store; the street is about eighty feet wide. Did not see the ladies until they were getting in the carriage. Did not see any buggy there.—
If witness lost sight of the carriage, from the time the ladies got in until it drove off, it was but a moment. Tom Powers was went up; thinks that Mr. Cashwell was the only gentleman that talked with the la
to the best of our knowledge, closed General Canby's active career in the late density of the United States to remember that upon the late war.

General Canby we know nothing personally, but he is spoken of in high terms by the New Orleans correspondents of various journals. One of them, referring to General Sheridan, says:

"With these facts staring him in the face, and the knowledge that his immediate predecessor (General Canby) was a high-toned gentleman and gallant officer, who had won the respect and confidence of this people the only gentleman that talked with the la
to the United States to remember that upon the law of the United States to remember that upon the baid constitution and laws, and upon the judgs ments, decrees and processes of the contrix, made in accordance with the same, depend the protection of the laws, liberty, property and happiness of the contribution of the laws, liberty, property and happiness of the laws, liberty, property and happiness of the laws, liberty, property and happiness of the laws, liberty, property and happiness, and the various dates the United States to remember that upon the said Constitution and laws, and upon the protection of the contribution of the laws, liberty, property and happiness, and the various dates the United States to remember th

As Bebee was coming out the arch, witness thinks that he heard some one say 'halt!" Saw no assault made upon him; saw no weapons of any kind in anybody's hands that day. Court adjourned to Friday, 10 o'clock,

A. M. FRIDAY, August 30th, 1867.

Sergt. Francis Kenstler, Co. "K," 8th U S. Inf., sworn:—Is stationed at Fayette-Archy Bebee, about two weeks since. Dr. Kirk and one or two soldiers were

with witness. We dug down to the body, opened the It was about three-fourths of an hour after coffin and cut off the head with an axe; subordination which, when it refuses reverence, destroys power, unless the department to which I first went to the market house that Bethen Dr. Kirk sawed open the skull and found the ball in the brain.

The ball was then given in charge of wit-

[After a long and spirited discussion of the law and the relative rights of the Prose-Never saw Tolar wearing a pistol. Am cution and Defence, the Court declined to order the production of the ball.] Witness showed the ball to Mr. Watson,

of Fayetteville, who weighed it, and returned it to witness. It was the same ball that was taken from Bebee's head. Cross-Examined: -Mr. Watson was the

only man that has had the ball, except General Avery and witness. The ball had been placed in the Bank, sealed up, since it was re-delivered to witness, and he had gotten it out this morning. It was the same pistol ball that was brought

from Fayetteville by witness. Watford Watson, sworn :- Resides in Favetteville; aged 31; have been following the business of gun smith for twenty years. Served an apprenticeship, in the city of London, of seven years. poy; has lived within three or four miles of quainted with small arms. Some time ago, John McKay (brother-in-law to Sam. Phillips) brought witness a pistol to unload, witness identified a pistol produced as the one.) There were five barrels loaded,-

two with balls, and three with buck shot drew two loads of the buck shot out, (which he produced in Court,) and fired off the other three barrels. The pistol, to all ap-

Has seen a bullet in the hands of Sergt. Kentsler, three weeks ago, in Fayetteville. Witness examined the bullet and weighed penny-weight. Witness thinks that the would fit a Remington pistol, 44-100 calibre,

ed up in a paper, and they whispe

The crowd in the market house, when pistol, of calibre 44-100, like that of Rem-

Bebee came down, was very quiet. After the shot witness heard no cries of who shot him. Witness saw the bullet one Saturday evening and told Mr. Jas. McRae of it next Cross-Examined:-Was sitting at the morning. Witness would swear that it had There is some difference in the weights

The scales used were Apothecary's scale Witness weighed the bullet Sunday morning, about eight o'clock; it weighed 2

drachms, 2 scruples, less 1 penny weight. The reason witness thought it was a round dead.

The California Scuator, James A. McDougall, in dead. ent. Did not see anybody jump up on the bench, near Becky Ben's stall at any time, ball, I was because he did not see the flat end that conical balls always have. The witness freely confesses that his aim has been directed against Phillips in his re searches, &c., in this matter.

Re-Direct: Witness has felt great interes in this matter, in common with other citizens; is rather prejudiced against Phillips. Phillips has lately asked witness for the drawn loads of the pistol in his (witness') possession. Is not intimately acquainted BY THE PRESIDENT OF THE UNITED STATES-A ried her up stairs. There was quite a crowd | with Tolar, and knows the other prisoners very slightly.

Questions by Court: Don't recollect who the prisoners there. Did not hear any it was that told witness that Sergeant Kentsthreats; saw no whisperings; saw no signs ler had the ball: thinks it was a young man named John Boone. Can't say whether Colt and Remington

After the ladies got into the carriage to go back, there was no whispering with Colts are of the same length or not; thinks of the United States, and is required to take care that the laws be faithfully executed; and whereas, by Court adjourned until Monday, 11 o'clock

General E. R. F. Canby. This officer, who has been assigned by order of the President, to the command of this District, was born in Kentucky, and appointed to West Point from Indiana.

At the beginning of the war General sie and mother were getting up in the car-riage. Mr. Bond was with them. Witness Infantry, and in command of the Departwent to the carriage about as soon as the ment of New Mexico. He commanded the ladies were seated. Saw Tom Powers Union forces at the battle of Valverde, in standing within two or three feet of the which the Confederate forces, under Sibley er superior officer set over them, according dies. Maltsby came up and spoke to Bond. Finally, the Confederate forces, under Witness did not see Capt. Tolar come to Sibley, returned to Texas, General Canby the carriage; don't think he did. Mr. claiming in his official report that the latter of the United States, it shall become impractica-Cashwell went to the carriage with witness. (Sibley) had been "compelled to abandon Did not hear or see any whispering at a country he had entered to conquer and Did not hear or see any whispering at a country he had entered to conquer and the carriage. Heard Bond order the car- occupy, leaving behind him, in dead and States, within any State or territory, the Ex-

Soon after this General Canby was ordered to Washington, and was, for a time,

In April, 1864, after the battle of Pleasant Grove, and the consequent retreat, which marked the failure of the Red River expethen saw commotion in the crowd which dition, General Banks was ordered to bring continued until Bebee was killed. Witness his campaign to an end without delay. saw the flash and smoke; it was very near Alexandria was evacuated, and on May 20. to Bebee and about the edge of the sidegrowd was very dense. From the spot partment, the army was turned over to

main eastern arch, was about ten or twelve | During the Summer and Fall of 1864. feet; the crowd was thick between. The General Canby remained in New Orleans. crowd increased very fast after the pistol but upon the overthrow of General Hood fired. Saw nothing before Bebee was killed at Nashville, he proceeded to attempt the that led witness to expect it. Know of no reduction of Mobile, then held by General ter the pistol fired there was a perfect calm; evacuation of Mobile, which took place in hurrals for Cant. Tolor or anything of April 1985. no hurrans for Capt. Tolar or anything of April, 1865. On May 4th, the surrender to upon the officers of the army and navy to assist the kind. Not kin to Capt. Tolar; both General Canby of General Dick Taylor's of the United States, in a faithful administration forces, was effected at Citronelle, and this, of the laws thereof, and in the judgments, de American, ref. 0 @ 10 Pale. Cross-E.camined: Can't say there is any to the best of our knowledge, closed crees, mandates and processes of the courts of American,

dies. Did not see where Bond, Maltsby or Tom Powers went to. Cashwell did not go back to the store with witness.

The respect and confidence of this people by attempting to honestly and faithfully discharge his duties as an officer of the law to maintain the supremacy of the Federal Constitution, and to preserve unimpaired the integrity of the National Union.

In testimony whereof, I have caused the seal of the United States to be affected as a confidence of the law to maintain the supremacy of the Federal Constitution, and to preserve unimpaired the integrity of the National Union. government and not the representative of a party, it is surprising that Sheridan did not attempt to remove some of the odium that attached to his name by following the commendable and praiseworthy example of

General Canby.
General Canby is said to be a fine executive officer, and a thorough military man. In his opinions he is said to be a moderate Republican, who takes no prominent part in politics and cares but little to have anything to do with political affairs. Indeed, Was ordered to exhume the body of the New York Tribune pointedly says "no one has ever called Canby a Radical.

> STATEMENT of the principal articles of Produce exported from the Port of Wilmington, N. C., for the Month ending 31st August, 1867, and compared with the months of July, 1867, and August, 1866, compiled from the reports of the Daily

The state of the s	2,758     2,080     15,271     9,266       2,501     2,966     1,266     31,245       2,522     2,315     40,452     31,523       3,523     245       396     11,65       48,000     22,500     13,650     14,34       48,000     22,500     13,650     14,34       5,755     14,55     14,55     14,55	Total July, 1867.  Total Aug., 1866.  Grand Total, Aug. 1867.  Grand Total, July, 1867.	TOTALS-OOASTV
	9,567 1,306 1,845 2,618	Total Aug., 1867.	FOREIGN.
	1,390	Bristol, England.	FO
1000	5,764 50	Lendon.	
	2,418 1,806 723	Liverpool.	
	6.922 1,464 23,151 180 401 241 1118 763,846 1,118 763,846 17,646	Total Aug., 1866.	
	6,408 1,342 28,897 8189 565 238 16 16 16 19 1,201,293 1,200 5,100	Total July, 1867.	
	5,704 1,660 37,844 3,784 2,453 2,453 396 11 66 85 605,858	Total Aug., 1867.	SE.
	737 1,592 779 50 87 87 289,199	Baltimore.	COASTWISE.
	264 737 665 3,728 1,592 504 779 145 709 92 87 801,669 289,199	Phila.	C
5	2,026 2,026	Boston.	
6	4,244 501 30,508 2,240 11 15,000	New York.	
	Spirits Turpentine, bbls. Crude Turpentine, " Tar " Pitch " Cotton Yarn " Cotton Sheeting " Cotton Sheeting " Far Nuts bush Lumber, P. P. feet Shingles " Staves, Oak " Staves, Oak "	ARTICLES.	

### LATEST NEWS BY TELEGRAPH.

NEW YORK ASSOCIATED PRESS DISPATCHES FOR THE under date of 20th July, 1867, says: JOURNAL.

From Washington.

WASHINGTON, Sept. 3-P. M. General Grant was absent from the Cabinet The Internal Revenue receipts to-day were \$1,

Commodore Farragut's official report, off Cron stant, says: Our reception here, by the Russian authorities, naval and civil, was most gratifying, both to our nationality and individually. Admiral Davis, in the flag-ship Guerriera, arrived at Rio Janeiro, July 26, 29 days from Boston. She relieves Admiral Gordon in command of the

Prince Albert was received at Rio Janeiro with coyal salutes, a State dinner and ball, in which officers of the American Squadron participa-

Whereas, by the Constitution of the United States, the Executive power is vested in a President of the United States of America, who is bound by so emm oath faithfully to execute the office of President, and to the best of his ability to preserve, protect, and defend the Constitution of he United States, and is by the same instrument the same Constitution it is provided that the said Constitution and the laws of the United States, which shall be made in pursuance thereof, shall be the supreme law of the land, and the Judges in every State shall be bound thereby; and whereas, in and by the same Constitution, the Judicial power of the United States is vested in one Su-and the aforesaid Judicial power is declared to Laguayra... 28 @ on duty in New Mexico, he conducted a military, are bound by oath that they will support Strict Mid'g 00 @ campaign against the Narvahoes, with great and defend the Constitution against all enemies, foreign and domestic, and will bear true faith and allegiance to the same; and whereas, all offiand allegiance to the same; and whereas, all officers of the army and navy of the United States Rope, \$\mathbb{B}\$ b...11 @ an obligation to observe, obey and follow such di-rections as they shall receive from time to time Sheeting, to the rules and discipline of war; and whereas, it is provided by law that whenever, by reason of unlawful obstructions, combinations or assemblable in the judgment of the President of the United States to enforce, by the ordinary course of riage off and the driver drove off. The wounded, and in sick and prisoners, one-equive in that case is authorized and reby the employment of the land and naval forces: and, whereas, impediments and obstructions, serious in their character, have recently been interosed in the States of North Carolina and South Carolina, hindering and preventing, for a time, a proper enforcement there of the laws of the Uni ed States, and of the judgments and decrees of a lawful court, thereof, in disregard of the com-

Now, therefore, I, Andrew Johnson, President of the United States, do hereby warn all persons against obstructing or hindering, in any way whatever, the faithful execution of the constitution and the laws; and I do solemnly enjoin and command all officers of the government, civil and military, to render due submission and the said laws, and to the laws; and to the laws are to said laws, and to the laws are to said laws, and to the laws are to said laws, and to the laws; and to the laws are to said laws, and to the laws; and the law the aid in their power necessary to the prompt enforcement and execution of such laws, decrees, and sustain the courts, and other civil authorities

the year one thousand eight hundred and sixty-

By the President: WM. H. SEWARD, Secretary of State.

From Raleigh-Assembling of the Repub lican State Convention\_Fifty-six Counties Represented\_The Proceedings Har-RALEIGH, N. C., Sept. 4-P. M.

The Republican State Convention assembled here to-day. There were fifty-six counties represented-several by proxy. The proceedings were the week have been very light, being principally harmonious. A permanent organization was ef- of small parcels, and foot up only 1,041 bbls., as fected. Gen. Joseph C. Abbott was elected Presi- follows: dent. Gen. Alfred Dockery and Hon. Robert P. 

[SECOND DISPATCH.] RALEIGH, N. C., Sept. 4—P. M.

The Republicans held a grand mass meeting at Tuckers' Hall to-night. A band of music was in attendance, hymns and hosannas were sung.—

Several colored speeches were made—all were ex
This (Thursday) morning buyers show but hittle

Cape Fear, 25

Bank of N. C., 45

Farmers' Bank, 22

Several colored speeches were made—all were ex
This (Thursday) morning buyers show but hittle

Commercial, 22

Commercial, 25

Merchants', 50

Charlotte, 22

Commercial, 22

Commercial, 25

Everal colored speeches were made—all were ex-Several colored speeches were made-all were extremely Radical.

Markets.

New York, Sept. 5—Noon.
Stocks steady, except Erie shares, which are
Saturday ... 167 " " soft. Sterling exchange 9 @ 10. Gold 142 Five-

of his work his purgatory; and the correction of his proofs his hell.

sales and re-sales for the week are 4,306 bbls., as follows: Common black, \$2 80@\$2 90; strained Common, \$3; No. 2, \$3 12\frac{1}{2}, \$3 20@\$3 25 on yard, and \$3 30 on shipboard; No. 1, \$3 50@\$4 25; Pale, \$5@\$5 25; and "window glass," \$6 25@\$7 Pale, \$6@\$5 25; and "window glass," \$6 25@\$7 Pa his house he fell dead.

MARRIED.

In Sampson county, at Mount Gilead Church, on the 25th ult., by Rev. H. McAlpin, Wm. MURPHY, Esq., to Mrs. SUSAN FENNELL, daughter of John R. Beaman, Esq. In this city, on the evening of the 30th ult., by P. W. Fanning, Esq., Mr. ALBERT BLIZZARD to Miss ROSANNAH GOODMAN.

On the evening of Thursday, the 22d ultimo, by the Rev. H. L. Singleton, at the residence of the bride's mother, HENRY H. SMITH, formerly of Fayetteville, North Carolina, to MARY ROSE, youngest daughter of the late Jonathan D., and Mary 8 Barry of this city.

DIED,

In Timmonsville, South Carolina, on the morning of the 30th August, MOLLIE, youngest child of C. J. and M. A. Coney, aged 1 year, 8 months

EVERYBODY READ THIS!

EREAT EXCITEMENT TO-DAY!

To ALL. WHO WANT TO MAKE:

that VALUABLE PLANTATION on the Wars and three and a half from Magnola. Five small TRACTS of LAND, all together; will sell one or all, to suit any buyer, or exchange for City Real Estate. Give any number of acres, 4f. City Real Estate. Give any number of acres, 4f. City Real Estate. Give any number of acres, 4f. City Real Estate. Give any number of axing being in all parts of the Plantation. It is one of the healthiest locations in Eastern Carolina; too valuable to locations in Eastern Carolina; too valuable to Individual Sci. C., or J. Jones, Stuart Creek, who will give all the particulars or show the land.

A navigable stream runs side of the Plantation for one mile on line.

EVERYBODY READ THIS!

CORN MEAL—Is in moderate stock, and sells from the mills at \$1 50@\$1 55 @ bushel, in quantities to intend the mills at \$1 50@\$1 55 @ bushel, in quantities to tite to supply but sufficient to supply present demand. We quote from store given below. Permulazions: Farapsco do. \$70; Rettlewell's Manipulated do. \$150@\$10. Showden's Manipulated do. \$150@\$10. Showden's Manipulated do. \$100 the descriptions are in light supply, but sufficient to supply present demand. We quote from store as follows: Pervivian Guano, \$300; Pacific do. \$250@\$10. Showden's Manipulated do. \$150@\$10. S

An Onion Crop\_Its Value, &c. A contributor to the Editor of the Farmer, residing in the Valley of Virginia,

I have just harvested my crop of onions and send you a statement of the result. I planted about the middle of April, in ground that had been previous seasons well manured and cutivated in other crops. made the beds about five feet wide, with the rows across the beds about ten inches apart so as to render it easy to work the crop from the walks. After the sets had become well rooted I gave them a thorough working with the prong spade, and about three weeks thereafter drew from between the rows, with a small garden hoe, as much soil as I could without injury to the roots, and filled the trenches thus made with manure about half rotted. This was all the attention they received. The yield was at the rate of 950 bushels to the acre. The variety cultivated was the real potato onion. The ground I have now occupied

with celery and turnips. Wilmington Wholesale Prices Current. BEESWAX, 15 33 @ 35 | LIME, # bbl.0 00 @ 0 00 From store 1 80 @ 2 00

Syrup......60 @ 1 00 NAVAL STORES, 1 25 Turpentine \$\mathbb{H}\$ 280 lbs Virgin....0 00 @ 3 30 Yellow dip.0 00 @ 3 30 Tar, in ordr 0 00 @ 2 50 Pitch, City 0 00 @ 3 50 Rosin, pale 5 00 @ 6 00 do No. 2..3 123@ 3 25 Spirits Turpentine, Nails, B b., COTTON BAGGING. ...6 75 @ 7 00 28 ||Cut . Gunny, #9 vd 00 @

28 | Cut ...... 6 75 @ 7 00 | OILS, # gallon, | Sperm.... 0 00 @ 3 00 | Linseed ... 1 75 @ 1 90 | Machinery.2 00 @ 2 50 Kerosene....50 @ 55 PEA NUTS, 0 00 @ 0 00 DOMESTICS, ## POTATOES,
Yarn, #5 lb1 90 @ 2 00 Sweet, bush 1 50 @ 1 75
FEATHERS,
Irish, # bbl4 60 @ 4 25 ..70 @ 80 Provisions, \$\mathbb{B}\$ b.,
N. C. Bacon. Fisu, # bbl.,

Mackerel,

No. 1...20 00 @21 00

No. 2...19 00 @20 00

Middlings...16 @
Shoulders...15 @ No. 3...15 00 @16 00 Hog round..00 @ Mullets... 6 00 @ 8 00 | Western Ba Herring, East.... 5 00 @ 7 00 | Middlings... 16 @ Western Bacon N.C. roe, 10 50 @12 00 Shoulders ... 144@ do cut, 7 50 @ 8 00 do gross, 6 50 @ 7 00 Dry Cod, # 18 9 @ 10 Butter, N.C. 20 @ FLOUR, # bbl., Northern do North'rn 30 @ Fine..... 8 50 @ 9 00 City Mess 26 50 @27 00 CLUE, \$\pi\$ b..20 @ 25 CLUE, \$\pi\$ b..20 @ 25 OPrime, ... 23 00 @24 00

6 Crushed.... 00 @ 00 @ SOAP, # 1b. Northern, ... 9 @ Eastern... 1 50 @ 1 60 | Wilmington, Northern... 1 121 @ 1 30 | Ext. Family, 101 @

Iron, # lb., English, ass'd 8 @ 10 Family,..... Chemical,...  $9\frac{1}{3}$ @  $7\frac{1}{2}$ @ SHINGLES, & M. sheer.....9 @ 10 Contract .. 4 50 @ 5 00

REVIEW

WILMINGTON MARKET FOR THE WEEK ENDING THURSDAY, September 5, 1867,

TURPENTINE-During the week just ended ther has been a fair demand for both shipping and di tilling purposes, and the market has ruled stead at \$3 30 for virgin and yellow dip, and \$1 65 for hard, & bbl. of 280 lbs.-all received having changed hands at these figures. The arrivals for Bbls. Virgin. Yellow dip.

SPIRITS TUBPENTINE - Since our review of Thurs-This (Thursday) morning buyers show but little disposition to purchase, and 51½ cents is the highest figure offered; no sales, however, have as yet been reported below 52 cents. The sales for the week are 1,152 bbls., as follows:

Friday....... 201 bbls. ct.

chase unless at materially reduced prices, which holders at present are unwilling to accept. The sales and re-sales for the week are 4,306 bbls., as

TAR—Has been brought to market sparingly, and is in moderate request at an advance of 5 cents. The state of feeling manifested for several days Only 138 bbls. received for the week and sold at previous to disolution leads his friends to hope for a happy reunion, beyond the grave, in realms of est figure.

BEESWAX—Is in fair formiry, and but little and the state of the state of feeling manifested for several days previous to disolution leads his friends to hope for a happy reunion, beyond the grave, in realms of eternal bliss. est figure.

BEESWAX —Is in fair enquiry, and but little com-

BEESWAX—Is in fair enquiry, and but little coming in. We quote at 33@35 cents \$\mathbb{P}\$ lb.

BEEF CATTLE AND SHEEP—The market continues to be moderately supplied with beeves, and we have to report a limited enquiry for butchering purposes—only a prime article finding ready sale. We quote on the hoof at 7@10 cents \$\mathbb{P}\$ lb. for net meat, as in quality. SHEEP are in small stock, but sufficient for present wants. A few parcels received and sold at \$1 50@\$2 50 each.

BARRELS.—In the market for empty spirit barrels there is no change of consequence to report. rels there is no change of consequence to report. The supply in first hands is fully fair, while the demand is principally for small lots. We quote demand is principally for small lots. We quote small sales as follows, as in quantity and quality: Second hand, \$2.75@\$3 as they run, and \$3.25 for selected; new, \$3.25@\$3.50 for country, and \$3.50

@84 for city made.
Cotton.—We have nothing to report in the way
of sales during the week, and quotations in table

are merely nominal.

CORN MEAL—Is in moderate stock, and sells from the mills at \$1 50@\$1 55 \$\mathbb{B}\$ bushel, in quan titues to suit.

EGGS—Are scarce, and find quick sale at 25

perfine, \$12@\$13 50 for family, and \$14@\$16 p bbl for extra family, (Wilmington inspection), as

in quantity and quality.

Grain—The Corn market has ruled without material change since the close of our last review. The supply in dealers' hands has been increased by the receipt of some 10 to 12,000, bushels, while there has been nothing of consequence done, the sales for the week having been principally confined to small lots from store. W cargo price at \$1 25 for white. Selling from store at \$1 27\cdot \( \text{@}\xi\) 30 for mixed, and \$1 35\text{@}\xi\) 40 Dushel for white, as in quantity and quality.

OATS.—The market is still poorly supplied, and we have to report a moderate enquiry. and we have to report a moderate enquiry. Selling in the small way from store at 90 cents @ \$1 \$\beta\$ bashe'. ——Peas—Of all descriptions are in fair enquiry, and would meet with ready sale at high prices. None received, and market bare. We quote nominally at \$1.75@\$2 \$\beta\$ bushel for Cow.

—Rice—There is a fair demand from retailers for clear Caroline and work in fair them. for clean Carolina, and none in first hands. We

quote at 123@13 cents # fb.

HAY.—Only about 100 bales Northern received for the week, which have gone into store. Market fairly supplied, and only a light demand exists from dealers.

LIME—Is in moderate enquiry, and the supply of good has become worked off. We quote at \$1 80@\$2 # per cask in the small way.

LUMBER.—In this article there has been little or nothing done for some time past, owing in a great measure to the scarcity of vessels, in the absence of which there has been no shipments. As soon as shipping come in freely, there will no doubt be a renewed activity in the market. We give the following as cargo rates.

Pine Steam Sawed Lumber-Cargo rates-per 1.000 feet. Ordinary assortment Cuba cargoes, \$18 00 @ 20 00 Hayti cargoes, 17 00 @ 18 00 

MOLASSES—Is in good stock, and only a small business doing from store at quotations in table, POTATOES.—New crop Sweet are being brought to market pretty freely, and sell from carts at \$1 50 to \$2 \tilde{p}\$ bushel. Irish are in small supply, and sell at \$3 75@\$4 25 \tilde{p}\$ bbl.

POULTRY.—We quote as follows: Live chickens \$25@\$5 cents and grown fowls \$35@\$45 cents.

ens 25@35 cents, and grown fowls 35@45 cents each, according to size.

Provisions—For N. C. cured Bacon the tone of the market has somewhat improved since our last review, though we have no quotable change to make on former prices. There is very little coming in, and the reduced stock in first hands causes rather more firmness in the market. There is, however, only a light demand, and the sales for the week have been confined to small lots from store at 16½017½ cents for hog round, 17 cents for sides, 16 cents for shoulders, and 20021 cents \$\pi\$ lb. for hams—our outside figures being for choice lots. The market is at present moderately supplied with Western, and only a light demand exists. We quote from store at 14½@15 cents for shoulders, 16½@18 cents for sides, and 19@21 cents for hams, by the package.

LARD—North Carolina is in very light supply, and we quote at 17@18 cents. Northern is in good stock, and sells from store at 13@161 cents # 1b. PORK—Northern has been in fair enquiry during the week, but owing to the small stock the sales have been limited; several lots have been received for the past day or two, however, and the market is now better supplied. We refer to our

table for store rates.

SALT.—We notice the receipt coastwise of about 2,500 sacks Liverpool ground during the week, and the market is fully supplied. We quote sales from wharf at prices ranging from \$2 30 to \$2 40 Sack, as in quantity.

Shingles—Arrive slowly, and only a light demand. Small sales at \$2 50@\$3 for Common, and \$4@\$5 \$ M. for Contract.

TIMER—The market has ruled dull and inactive for the past week or two, owing to the absence of the usual demand from millers, who are inwilling to purchase to any extent at present, as the scarcity of shipping prevents the exportation of lumber. We quote sales of six rafts at \$6 50 for inferior, \$7.75@\$8 for ordinary, and \$9@\$10 \$\epsilon\$

Wood—Is is moderate request, and supply small. We quote by the boat load at \$2 50@\$3 50 for pine, \$2 75@\$3 for ash, and \$3 50@\$3 75 @ cord for oak.
FREIGHTS—Several sailing vessels have arrived during the week, and been readily taken up by

Rates of	1	re	eig	ht						
		Per Steamer.			Per Sailin Vessel.					
TO NEW YORK.	10	1	10		-			10		
Crude Turpentine per bbl.	\$0	00	@	\$0	75	\$		@	\$	7
Tar, "		00		0	75		00	(0)		7
Spirits Turpentine, "	0	.00	@	1	25		90	0	1	(
Rosin, "	0	00	(0)	0	75		00			7
Cotton, per lb.		.00	(0)		36	1	3/	@		1
Cotton Goods,per bale.	1	25	(0)	1	75	1	00	@	1	1
Flaxseed,per bush.		15	64		00	24	00	(0)		1
Pea Nuts, "	1	00	0	1	21/2		10	0		1
TO PHILADELPHIA.										
Crude Turpentine per bbl.		00			70		00			. 1
Tar, "	-0	00			70		00			-
Spirits Turpentine, "	0		@		25		00		-1	1
Rosin,	0		00		70	1		@		-
Cotton, per lb.	30	0	@		36	1	00	@		
Cotton Goodsper bale.	1	25	(a)	2	00	1	00	(0)	1	
Pea Nuts,		00	(0)		15		00	(0)		
Lumber		00	(0)	n Tu	00	1 8	3 00	0	8	3
To BALTIMORE.	10	0 (	0		70	1	00	0		)
Crude Turpentine per bbl.		00 (			70		00		- 7	)
Tar,		00			25			0		)
Spirits Turpentine, "					70					,
ROSIII,		00			8/			(0)		
Cotton, per lb.			0 (0)					@		
Pea Nus,per bush. To Boston.	1	U	0 @	, ,	1234	1	Ó	0		
Crude Turpentine per bbl.	. (	0 0	0 6	) (	00		0 0			0
Tar, "	1	0 0			0 0	0	0 0	0 @		0
Spirits Turpentine, "	1	0 0	0 (0	)	0 0	0	0 0	0 @	)	1
Rosin, "	1	0 0	0 6	)	0 0	0	0	0 @	)	
Cotton, per lb.		0	0 @	)	00	)	7	( a	)	
Pea Nuts,per bush.		0	0 @	3	00	)	0	) (a	1	

WILMINGTON MONEY MARKET. CORRECTED BY JAMES DAWSON. 1.42 1.35 1.07 Hard. BANK NOTES. Buy. Sell Buy.

25 00 Lexington, 12

...45 00 Miners & Planters', 28

...22 00 Wilmington, ...22 00 Wadesboro',.....22

OBITUARY.

The grim monster, Death, has visited our ordisoft. Sterling exchange 9 @ 10. Gold 142 . Five-twenties of '62, coupons, 114 .

Tuesday . . . . 471 " 52@52 " " "
Wednesday 163 " " 52@52 " " "
The grim monster, Death, has visited our ordinarily quiet village, striking down, in the vigor of manhood, the most useful man in the community.

Rosin.—Since the close of our last review there has been a moderate enquiry from shippers for the lower grades and also for the finer qualities of Pale and "window glass," and the market has ruled steady at 27 cents. Spirits turpentine quiet. Rosin dull.

A French bishop said that the paradise of an author was his composition; the revision of his work his purgatory; and the correction of his work his purgatory; and the corrections are unwilling to accept. The state of the stat

The kind husband, indulgent father and public benefactor is no more. His afflicted family, in their sad bereavement, has the sincere sympathy of a host of friends, both at home and abroad.

Requiescat in pace. TRIBUTE OF RESPECT. At a meeting of Fair Bluff Lodge No. 190, of A.

At a meeting of Fair Bluff Lodge No. 190, of A. F. M., the following preamble and resolutions were adopted, expressing our sympathy for our much esteemed brother, ALVA SMITH, who departed this life on the 29th inst:

WHEREAS, Almighty God, in the dispensation of His allwise providence, has called from our midst and from the bosom of a large family circle of relatives, friends and acquaintances, our highly esteemed brother, ALVA SMITH. Therefore, be it Resolved, 1st, That while we fully realize and lament our great loss in the death of brother SMITH, we meekly bow in reverence to the will of Him who reigns supremely in Heaven, and governs our destinies and all events on earth.

Resolved 2d, That we are torcibly reminded by the death of our esteemed brother, of the uncertainty of life, and of the great importance of living daily in the discharge of our duty to our Creator, not knowing at what moment Death may sumpear before Him to render an ac-

### Southern Loyalists.

There has never been an undertaking of any movement in the history of the world, however sacred and holy, however criminal and wicked, when apparent or real weakness or defeat gave reason to adherents to desert, but what the opportunity was greedily embraced, and the converts signalized their apostacy by an over-zealous affection for their new friends and new cause. Since the avaricious Judas betrayed his Master for thirty pieces of silver, the greatest possible economy. and the trembling Peter denied him, fearing the wrath of his persecutors, there has been no cause or leader, sacred or profane. when defeat and overthrow threatened, but what had many of the followers to renounce their allegiance in the hope of reward or influenced by fears of injury to person or property. The most earnest devotee in religion; the most gallant officer in battle, have given way under the one or other of these influences, their principles like Bob Acres' courage, oozing out at the ends of their fingers, in the face of defeat. Honor among thieves is only possible in the event of continued success, and becomes a myth in the dungeons or in sight of the gallows of outraged law.

The South, in her recent struggle for in dependence, has proved no exception to this general rule, and we notice, day after day, those most steeped in "treason and rebellion," who fired the Southern heart, voted men and money, pledged the last man and the last dollar, and in fact did everything but meet the dangers their cowardly nature's shrank from, now desiring to offer the property, nay, the blood, of their more honorable Confederates, upon the altar of their unmistakable loyalty. Conscious of their own perfidy, and doubtful of convincing others of their earnestness, they desire, through excess, to establish the proof of their position, hoping by their very intemperance to be received without the usual probation to which converts are subjected.

Such men, who have been a disgrace to all ages and every undertaking, have usually found but a temporary benefit from their conduct. For although in times of revolutions good men may suffer and bad men rule, the inherent honor and truth of man will rise above the petty troubles of the hour and exert their sway over the destinies of individuals and of nations. The base panderers to fear and avarice will be disappointed, or his temporary success will only serve to make him the more notorious

the purposes of party success.

We were especially struck with this fact by the open declaration of some of the leading speakers in a meeting of ex-officers, soldiers and sailors of the United States, best to be used in accomplishing that object.

saying, in substance: "That he would rather take by the hand a Con-

federate soldier who fought from honest intenthe situation, than the so-called Virginia loyalkeeping in office those renegade Virginians who voted for secession and then went North as Union "In this district of San Paulo, cotton can be shriekers, in preference to men who had periled their lives in defence of their country."

Other members of this organization spoke in the same spirit. It may suit the the experiment has proved unsuccessful. Espethered which was but just and proper in his case. He cially is this true of the country near Rio de Jane-which was but just and proper in his case. He these subservient tools, but honorable men, who periled their lives to maintain the claims to their respect, and who will surely

they have betrayed. We see it stated that the United States District Attorney for Georgia has announced that such as have taken this oath ours, too, in everything but party politics? nounced to be the case by the surgeon in attendwrongfully will be prosecuted for perjury. There is an inviting field for the same opeescape, he has issued a special dispensa- destroy ourselves? tion to his erring brethren. The day will "We can never fully regain the supre-

### from an outraged people. Production of Cotton.

the New York Times, which we set before an army of occupation." them and commented upon in our issue of the 23d inst. If we recur to the subject A man starved to death in the streets of cary's drugs and physician's formulas. again it is because we are deeply impressed Jersey city last week.

with the vast importance of the cotton culture to the future of our country, as it has been its great staple of prosperity in times past. Our system of labor at the North,

our creed. We believe in the doctrine of samples before us show that the crop would such a general interchange of commodities have been ready for picking. as different countries can produce to the best advantage, and so feeding and clothing the whole world, ourselves included, with

"But if not what are politically termed protectionists of American industry,' we are certainly not advocates of the practical brought about by the wilful destruction of I give below the results at other precincts our own labor. It is not intended that this in the county, so far as heard from : expression shall be construed into a regret to heal as quickly as possible the wound the status here. which has been made in eradicating it. now is to make freedom advantageous only. are doubtful as to their vote. The negroes It is vain for us to boast that 'we are a seeing their strength, are likely to run cangreat country, and all yet will come out didates of their own color-hence there is right,' if we persistently endeavor to make everything go on wrong. We should requickest and cheapest.

Months in Brazil,' a work which we have already commended to our readers. The author takes a very sensible view of the subject under consideration, which we quote at length:

Wherever in the world cotton can be grown, its cultivation has received an impetus from the late American civil war. Various nations have begun to compete for the cheapest production of this absolutely necessary staple, and none have a fairer chance of success, in building their fortunes of that Court. The sentence of the Court, when upon our ruins, than Brazil, if her people can dis- first issued, directed that it be carried into effect play sufficient energy. The most sanguine planters scarcely hoped to do more than to make large profits while the war continued; but they of the Southern States will be much more expensive than heretofore, and that this climate, even with free labor, which all anticipate eventually, victim of outraged honor and truth.

It is a little remarkable with what meagre success the Southern renegades have met

With free labor, which all anticipate eventually, will give them every advantage over us. Their reasoning is simple and not easily refuted. For example, in the province of San Paulo, of which Santos is the scaport, there is no winter, proper. At the August term of the latter Court sentence. in their windy protestations of extreme Southern temperate zone. Something is prodered for yesterday, the 30th day of August. and unmixed loyalty. Either from the character of the men themselves, their overeagerness to make their patriotism pay, or

Southern temperate 20ne. Sometimg is produced for yesterday, the 30th day of August.

A few minutes after 10 o'clock on that day the prisoner was taken from the jail, and the procession passed through the streets on the way to the in the present confusion of political matsomething for his employer or for himself. In groes, the better class of Northern men service cannot be made available in the winter, does the laborer here require warm clothing, if openly denounce them, or only refrain any stall, for clothing is a luxury indulged in only on Sundays and holidays. Slave labor, or free labor is, then, undenably cheaper here.—

The purposes of parky success. Moreover the expense of cultivation is infinitely less with the proper tools, of which the Brazilians are so slow to learn the use. Cotton with us

held in the city of Richmond a few days had from his throne, dragging down his ministers aince. Their objects being political, a and then Cotton was king. What a fall he has had from his throne, dragging down his ministers immediate vassals with him, involving in the minister was a limit through the war obliged to dethrone him. discussion upon a pending resolution and the ruin those who were obliged to dethrone him! then proceeded to read, by request, to the assembled multitude the confession of Smith, written in brought out an inquiry into the prospects of reconstruction in Virginia and the means brought out an inquiry into the prospects wide republic. Many nations will be the gainers, while we are the losers. At this time with our present transitions of labor systems, it is estimated by a ted that cotton cannot be raised for less than twenty cents per pound. Doubtless, in the course Lieutenant Colonel Merrill is reported as of years, either by the utilization of the black labor, which the hopes of some anticipate, or by the influx of emigrants, this condition will be improved. But, meanwhile, the outside world will get a prodigious start, and it is difficult to conceive that, with all the appliances we can bring to bear, we can reduce the present cost of produc- hands of Mr. Biddle, the Jailor, and the Counsel ist—even if he does have a newspaper—who voted tion one-half—to ten cents. To this must be addfor the ordinance of secession, and thereby put ed the internal revenue tax of three cents, and the former into service against his will.

"Colonel Egbert said he was not in favor of wise as to place any further restrictions upon in-

even with the antiquated tools and the slow energies of Brazilians. In many parts of the empire

iro, where the plant is utterly destroyed by worms."—[Ten months in Brazii: pp. 56, 57. "Thus it appears that notwithstanding government, cannot continue in social and the lack of energy among the people and years ago, he remarked, he had witnessed an ex- declaring that they would sooner lose the political affiliation with men who have no the abundance of caterpillars, the Brazil- ecution, and little he thought at that time, he ians have already taken advantage of us would ever have so far forgotten himself as to be contaminate all with whom they come in and it is fair to presume that they will placed in the present melancholly situation. Now he reproached himself with not sinking then upon contact. Men cannot and will not forfeit endeavor to maintain their position. Nor his knees to the earth and praying God to change their self-respect by useless and distasteful is this the case in Brazil alone. Doubtless, his heart and make him a better man. But he attempts to cover the baseness of such travelers in other parts of South America, had deferred it from day to day, and from month characters under the convenient plea of in Mexico, in Egypt, in India, and among to month, until he was now placed as they saw party necessities, or reward their crimes by the isles of the ocean, could tell us similar death, and with intense earnestness, he exhorted official drains upon the Federal Treasury. stories of what Captain Codman so aptly the multitude to turn from their evil ways and re-Such characters must soon stand before calls "building fortunes upon our ruins." their fellow-men stripped of all their masks. We repeat that we are no advocates of self and them, the condemned closed his remarks. and die and be buried in the ignominious slavery in any shape. The negro is freed Throughout the whole proceedings he was as graves dug by their own conduct amidst from his Southern master. Let his North- calm and collected as possible, yet showed himthe execrations of the ignorant people whom ern master leave him alone! This much at any rate can be said of the former. He drawn down, and after bidding him farewell the Many of these Southern loyalists have made him work, but he fed him. The lat- Sheriff and Jailor descended from the scaffold. rather over-stepped the bounds of pru- ter makes him vote, but lets him starve- At sixteen minutes past eleven o'clock the trap dence in their grasping desire to secure yes, lets him starve! for what is the destructhe rewards of their perfidy, in swallowing tion of labor but starvation? Have we no the test oath for a quarterly consideration. sympathy either for the whites or for the blacks of the South, whose interests are surely identical with each other, and with neck was broken, which was afterwards pro-

trymen consider how much more important ration in this State, unless our Attorney is is labor to the new-born freedman than is too busy giving "home thrusts" to the his vote to the politician? and as for the dead. What remained of Franklin Smith was "dead rebellion," or in sympathy with white man, is not vengeance yet sated, or such perjurers, and pleased with his own must we, for the sake of destroying him,

come when these men cannot escape the macy in cotton that we have lost, but if we consequences of their crimes, and they will are wise, we can yet participate more largely call upon the rocks and mountains to fall in its production with the rest of the world. on them and the darkness to hide them Let us cease to use the negro as a political tool; let us encourage him to labor; let us remove at once the almost prohibitory tax study, as it is the interest of all. To rememupon cotton. Far better would it be to pay We extract from the Boston Post the following sensible editorial, and give it prominence in these columns:

"We trust that our readers will not have

We have received from Mr. D. J. Gilbert, of Bayville, Robeson county, five bolls of new cotton, selected from the crop now our exchanges, our manufactures, our growing upon his plantation. The samwealth and ability to support the common ples before us show that the bolls are ripe schools from which emanates the boasted and open, but owing to the rain the cotton and the stalks of the plant are said to be "'Protection' in general is no part of materially affected. But for the rain the

#### For the Journal Registration in Anson County.

LILESVILLE, ANSON Co., N. C., Aug. 29. Messrs. Editors: - After mailing my lethere-making the figures thus: Whites....

Of the 147 whites registered here, fifty that slavery is abolished, with the enter- are Radical Red Strings; about eighty, tainment of which all conservative men genuine, conservative Union men, and the are frequently reproached. Slavery was rest doubtful—so claimed by a leading a cancer which was supposed to be eating "Red" from whom I get my information into the body politic, and anti-slavery, the as to the fifty. In the upper portion of caustic which extirpated it, had nearly the county the colored "element" is not into effect. killed the patient in the process. Our wish so strong (numerically I mean) but these is not to restore the original disease, but figures may be taken as nearly indicating THE ORDER ASSIGNING GENERAL HANCOCK TO

Of the colored voters, probably nine-Slavery, with its advantages and disadvan-tenths are members of the (so-called) Union tages, has forever passed, and our duty League—though Radical (white) aspirants 'trouble in camp," and much manœuvring and hob-nobbing among the faithful.

Like a child who by unconscious moveflect, that great as our country is, it is not ment sets some mighty machine in operathe only country on earth, and that others tion, and stands appalled as its wheels revolve and arms wave, having no power to are not disposed to stand still while we are control it, so these ambitious, but unskillsettling our domestic broils. Cotton is a ed demagogues see the terrible engine of prime necessity for the world, and the world "universal suffrage" at work-but, though will have it from wherever they can get it they themselves have started it, instead of being able to control and direct, are about to be crushed by its ponderous power .-"There are some remarks which bear Disfranchised Rebels, like myself, can onupon this subject in Captain Codman's 'Ten ly look on with disinterested and undis-

Yours, &c.,

EXECUTION OF FRANKLIN SMITH, FOR THE CRIME OF RAPE .- Friday 30th ult. the Sheriff of the county, in pursuance with the sentence of the Judge of the Criminal Court, proceeded to execute the sentence of death upon Franklin Smith, the prisoner convicted of the crime of rape at the April term arge profits while the war continued; but they how see an unlimited future of prosperity before them. They are quite sure that the labor system term of the Supreme Court the case was brought

At the foot of the gallows a prayer was offered up to the Throne of the Most High, by Rev. J. H. is planted yearly. Here the plants last from five to seven years without renewal.

"When slavery existed in the United States prisoner, supplicating pardon and redemption for cotton could be raised for seven cents per pound; him who was about to expatiate his crime by and then Cotton was King. What a fall he has death on the gallows, during which the condemned was visibly affected. The Rev. Mr. Dally gentleman of this city. This confession we forbear the deed. He there alluded in terms of gratitude who defended him. The Sheriff then read the

A few minutes after 11 o'clock the condemned ascended the scaffold, and from there addressed a raised for very little more than our present revelue tax and the proposed export duty; and this the truth of his written confession, and acknowldid not complain of the Courts-they did that pent. With prayer for God's blessing upon himself somewhat affected during his remarks.

The fatal noose was then adjusted and the cap fell, and ere three minutes elapsed the soul of was ushered into eternity. His struggles were somewhat awkardly, it was apparent that his

The body hung suspended in the air for nineteen (having made an examination) reported him lowered into the coffin prepared to receive him. The crowd then turned to depart, and we trust not without being benefitted by the sad example of the vindication of the law, and retributive justice, which they had witnessed.

# Avoidance of Sickness.

The air at this season, and especially during the alternations of drenching rains and hot suns, is full of the elements of disease-to avoid which is, or should be, the ber then that an empty stomach greedily "We trust that our readers will not have failed to appreciate the cogent reasoning of our money in protecting cotton rather than our work. Times which we get he form

Official Orders\_Removal of Gen. Sickles\_ Gen. Canby his Successor\_Hancock Assigned to the Fifth District\_Sheridan to Command the Department of the Missouri\_Thomas to Command the Department of the Cumberland.

The following are the official orders is sued by the President to Gen. Grant, Secretary of War ad interim, assigning Gen. birth from the cotton plantations of the evidence of the injury worked by the rain. Hancock to the command of the Fifth Miller of Gen. Sheridan, and eral Grant and the President had an un-South, which we are ruining for party pur- The cotton is retarded in its progress to Gen. E. R. S. Canby to the command of pleasant discussion during the session of poses, and thus committing national sui- maturity by the continued fall of water, the Second Military Military District, in the Cabinet this afternoon; that General lieu of Gen. Sickles:

### GEN. CANBY APPOINTED SUCCESSOR TO GEN.

EXECUTIVE MANSION, WASHINGTON, D. C., Aug. 26, 1867. Brevet Major Gen. Edward R. S. Canby is hereby assigned to the command of the Second Military District, created by an act of Congress of March 2, 1867, and of the ter to you on 24th, two blacks registered cing the States of North and South Caro-

on assuming the command to which he is hereby assigned, will, when necessary to a and all authority pertaining to officers in command of military departments. Major Gen. Daniel E. Sickles is hereby

Military District. The Secretary of War ad interim will give the necessary instruction to carry this order Andrew Johnson.

THE FIFTH MILITARY DISTRICT. EXECUTIVE MANSION,

WASHINGTON, D. C., Aug. 26, 1867. SIR: In consequence of the unfavorable condition of the health of Major General George H. Thomas, as reported to you in mand of the Fifth Military District created commanders, and any and all authority peraining to officers in command of military departments.

ceeding without delay to Fort Leaven- the same time securing a powerful Euworth, Kansas, will relieve Major General ropean ally. Hancock of the command of the Department of the Missouri.

Major General George H. Thomas will, until further orders, remain in command of the Department of the Cumberland. Very respectfully yours,

Andrew Johnson. General U. S. GRANT, Secretary of War ad interim.

Letter from Thaddeus Stevens\_Reconstruction and the Military Removals\_Interesting Correspondence.

LANCASTER, PA., Aug. 27.—The followng correspondence will appear to-morrow in the Herald and Examiner: PHILADELPHIA, PA., Aug. 24, 1864.—Hon. Thaddeus Stevens, Lancaster, Pa.—Dear Sir : Several of your intelligent constituters, their unblushing efforts to ride ither case it is the same, for it enters into the cost of raising cotton, as the price of remunerative labor. Nor, like the Southern negro, whose into office upon the shoulders of the neservice cannot be made available; in the winter southern negro, whose time the shoulders of the neservice cannot be made available; in the winter southern negro, whose time the shoulders of the neservice cannot be made available; in the winter southern negro, whose time the shoulders of the neservice cannot be made available; in the winter southern negro, whose time the shoulders of the neservice cannot be made available; in the winter southern negro, whose time to the vehicle containing the condemned, however the vehicle containing the vehicle conta mistakes made by Congress in not passing laws at the last session restraining the removal of certain officers engaged in reconstruction. I contended that you had passed an act at the very close providing for that very contingency, but which is not executed. Will you be so good as to inform me how far our representation is ree? You know we are in the habit of the line on Saturday: dealing familiarly with the member from the ninth district. A brief answer will

> much oblige your friend, SAMUEL SCHOCH. LANCASTER, PA., August 20, 1867.—Col. Samuel Schoch, Columbia, Pa.—Dear Sir You are right in supposing that Congress pulishing in deference to the refined sense of the made mistakes, as is the inevitable lot of man, but you mistake in supposing that there is any law to prohibit the removal of district commanders without the consent of the Senate. Soon after the commencement of the last session of Congress I reported a bill from the committee of the House of Representatives, which contained a provision prohibiting removal without consent of the Senate. It passed the House and was sent to the Senate. The Senate struck it out and returned it to the House, who refused to concur in the amendment. The result was a committee of conference,

where an animated contest ensued. There were several other questions in controversy between the houses, which the House offered to yield if this could be granted. The Senate persistentenly refused, bill. As that would frustrate all our legislation it could not be allowed. The House yielded, with a warning of the evils it would inflict upon the country. Some of he could, and in a day or two she rethe members of the Senate seemed to turned, Mrs. ——. She had not known would inflict upon the country. Some of doubt their power under the constitution, which they had just repudiated, and outside of which all agreed that we were acting, else our whole work of reconstruction was usurpation; or perhaps they had a de sire to be thought gravely conservative and

These ideas seemed to control the action of some half dozen Senators, who preferred trusting the President. My dear Colonel, a few Senators of great ability, undoubted patriotism and purity, have become so saturated with what they were pleased to call conservatism," (whose meaning I confess am unable to understand,) that I fear they will forget the monster that was slain in 1776, and again in 1861, and will thus Franklin Smith had departed from his body and do great damage to the creation of a government now so capable of being converted into a political paradise. This is liable to happen, not so much by direct and palpable attack upon its framework as by gradually forgetting the vital principles of the Declaration of Independence.

Strike out one of the living sparks which give life to our Goddess of Liberty, and the mysterious and intense heat whose welding fires, nearly a century ago, and at

From the Baltimore Sun FROM WASHINGTON,

More Cabinet Rumors Contradicted\_Pre

Secretary of War. Washington, Aug. 27.—Rumors and positive statements are made to-night that all row, and dispatches to this effect have been sent hence. Upon the authority of the President and a member of the Cabinet I am enabled to say that there is no foundation in fact for these rumors and statements above mentioned. It is a fact, however, that there is an understanding among members of the Cabinet that they will tender their resignations should Mr. Johnson in-Military Department of the South, embra- dicate that he desires them to do so, and this is about the only authoritative, defilina. He will, as soon as practicable, relieve Major Gen. Daniel E. Sickles, and, in the Cabinet.

A pressure is continued in certain influential quarters for changes, as suggested faithful execution of the laws, exercise any in these dispatches heretofore, but I can and all powers conferred by acts of Con- say confidently that the President has not In fact, it is so entirely in the comgress upon district commanders, and any informed any one of his decided purpose prehension of every reader that no one relieved from the command of the Second make at least two changes. So far as Gen. scientific and learned works on agriculture. Grant's position as Secretary of War ad in-DATA.

### A Sensation Report.

A letter from New York says: A startling piece of intelligence is made public through well-informed sources at Washington, in regard to the Spanish revo-Surgeon Hasson's dispatch of the 21st in- lution. Gen. Prim's programme includes crops, the soils, &c., to which he is so instant, my order dated August 17, 1867, is the seizure of Cuba, with a view of transhereby modified so as to assign Major ferring it to the United States, for a con-General Winfield S. Hancock to the com- sideration, the same to be applied, by is, more properly speaking, an agricultural agreement already made, to the English catechism, or the chemistry of farming by the act of Congress passed March 2, holders of Spanish bonds, a proceeding made easy, as it professes to be. In the 867, and of the Military Department com- which will effectually tie the hands of John prising the States of Louisiana and Texas. Bull. Prim's plans in Cuba are said to makes himself plain and interesting as he On being relieved from the command of meet with the most cordial approval of the the Department of the Missouri by Major revolutionary party there, and, as we are He who follows up each succeeding lesson General P. H. Sheridan, Major General now in daily telegraphic communication cannot fail to be pleased and instructed as Hancock will proceed directly to New with the gem of the Antilles, we may Orleans, Louisiana, and, assuming the speedily look for news of a vigorous folommand to which he is hereby assigned, lowing up of the recent revolutionary work so well adapted to the agricultural vill, when necessary to a faithful execution | demonstration at Matanzas. Prim's afof the laws, exercise any and all powers fairs in this country, it is also said, are in well as out of schools, that recommend conferred by acts of Congress upon district very competent hands, and are not to be it with confidence and pleasure to teachers thwarted or spoiled by kitchen cabinet ar- and trustees of schools and academies, to rangements. If Prim succeeds, and Uncle farmers of all grades, and to agricultural Sam refuses to buy the island, then, we are clubs and societies. It relates to subjects Major General P. H. Sheridan will at told, the richest jewel in the Spanish which most concern farmers, deals with once turn over his present command to the crown will be turned over to Great Britain officer next in rank to himself, and, pro- to satisfy the claims of her bondholders, at

> Juarez in the Mexican Capital\_Clamor for Amnesty, &c.

San Francisco, Aug. 27.—The correspondent of the Bulletin writes from the city of Mexico, July 31, describing the entry of Juarez, which elicited much enthusiasm.— At a grand banquet Juarez hoped the nation would imitate the clemency and moderation of the United States in victory. The Mexican press were clamoring for a general amnesty, the people were sick of

Consul Godey, at San Francisco, had received authoritative denial of the reported massacre of imperialists at Queretaro. Ortega was closely confined at Monterey. Juarez announces his determination to put down all armed factions, but he will pursue a course of clemency and conciliation towards those who submit, and do all in his power to heal distraction, develop the resources and elevate the character of the country. The army is to be reduced to 18,000 men, and many prisoners are to be

The United States and Cuba in Tele-

The Cuba cable is in working order. The following dispatches passed through "To His Excellency the Captain General Man-cano: As our facilities of intercourse improve, so may our mutual interests and prosperity in-

E. O. GWINN, "Mayor of Key West." The reply is as follows:

"To His Honor E. O. Gwin, Mayor of Key West: I celebrate this happy event, which, giving us more rapid communication, will powerfully contribute toward the development of our mutual 

"Captain General of Cuba." The first of these dispatches was sent from Key West, at three o'clock in the afternoon, and delivered to the Captain General at eight o'clock in the evening.

Some two or three weeks since, a gentleman from a neighboring city went to a watering place in the mountains and took with him his daughter, a young lady of about sixteen. They were having a very nice time; but one fine morning the young lady was missing. Search was made for her but she could not be found. A messenger was dispatched to the nearest railroad station to make inquiry for her, and was told that a lady answering the description he gave had left there on the last train that passed, in company with a gentleman. The father bore it as well as her husband more than ten days. She 'married in haste"-may she escape the latter clause of the proverb.

Tomato Catsup. abundance, the following receipt for making tomato catsup, communicated by Mrs. Page to the Prairie Farmer, will be found useful:

procelain kettle should be used."

gradually cool, until the most conservative This General, one of the most thorough look at the histories of the late war! despot could thrust his sword into it with- Democrats and States Rights men in the read them, one would hardly suppose that out afflicting its temper. I have said above Union before the war, has, like General North Carolina had any part or lot in that that I did not know the meaning of the Butler, distinguished himself for his sweep- mighty conflict and we can only look to North word "conservatism." I have since seen the report of a speech said to have been made by an Ohio Senator at Canton, Ohio, which, if it be truly reported and is to be considered a definition of that doctrine, then it to me is very alarminary worse than corporated and seen are the report of a speech said to have been made by an Ohio Senator at Canton, Ohio, which, if it be truly reported and is to be considered a definition of the way of pertain the ing-worse than copperheadism. It is le- poverished people he governed has been a greater sacrifices of treasure and men; gislation without authority, and reconstrucsubject of remark. And now General Siction by usurpation.

Subject of remark. And now General Sickles is suspended. The President has her population, than any other Southern destroyed the establishment, throwing the takes in miasm, furnishes a rule for our guidance, which is simple, easy of practice and of potent efficacy. Avoid going into the open air before the morning meal is eaten; avoid sitting or sleeping in the open air if the temperature is in the slightest degree chilly; and a safeguard is furnished against chills and fevers, and the usual fall diseases, more certain than all the apothecary's drugs and physician's formulas.

Arrival of Cotton.

Savannah, Aug. 27.—Three bales of cotten man, Georgia. They were the first of the carry's drugs and physician's formulas.

Alexandria Gazette,

Alexandria Gazette,

Avoid going into the streyent, Than any other Southern guidance, which is simple, easy of practice and of potent efficacy. Avoid going into the open air before the morning meal is the open air before the morning meal is and in the companion of the troops and received the stablishment, throwing the righteously decided, and though the ultra Radicals may raise a clatter for party purposes, nobody will sympathise at heart with the peerless General Sickles! Conservative Radicals will rejoice, for there are signs enough at the North to show that they are quite alarmed at the extremes to diseases, more certain than all the apothecary's drugs and physician's formulas.

Alexandria Gazette,

Arrival of Cotton.

Savannah, Aug. 27.—Three bales of cottem are signs enough at the North to show that they are quite alarmed at the extremes to go in prostrating the South.

Mess is suspended. The President has righteously decided, and though the ultra Radicals may raise a clatter for party purposes, nobody will sympathise at heart with the peerless General Sickles! Conservative Radicals will rejoice, for there are signs enough at the North to show that they are quite alarmed at the extremes to go in prostrating the South.

Mess is suspended. The President has clatter for party purposes, nobody will sympathise at heart with the destroyed the establishment, throwing the righteously decided, and though the ultra Radicals will rejoice,

in North Carolina

Messrs. Engelhard & Price: I have just ead a very useful little work, published at your office, on farming, intended as a textbook for the common schools in North instruction, and must surrender their preju-Carolina. It has a wider range, however, and is really valuable to almost every farmer, however large or small his operations, engineering, &c., or they will perish for want however experienced or inexperienced, in- of patronage. Necessity demands a change telligent or ignorant he may be. The au- in this respect and public opinion will thor is a native North Carolinian, Mr. B. override the resistance which so many F. Grady, jr., Principal of Neuse River Academy, Wayne county, North Carolina, and sors in our Colleges and Universities are evidently a young gentleman of talents, fine scientific attainments, and much promise. It teaches the elementary priniples of agriculture, simple truths of every day use to the farmer. The work is in pamphlet form of forty pages, and will be less of those lighter studies and ornamen offered for sale so cheap, twenty-five cents a copy, as to be within the means of the poorest farmer, the humblest reader to ourchase. It contains more useful knowledge in the same space on matters of farmthan we have ever known published, and all can understand of reorganizing the Cabinet, though those need hesitate to purchase for fear of those who press the matter upon the President big words and hard technicalities, which so change to which we have alluded, or a new have full confidence that Mr. Johnson will often drives away in pain farmers from Herein consists one of the chief merits of terim is concerned, it may be said that the this scientific publication, for, after all, President when he made the appointment, philosophy and science are but common had not determined how long it should sense, and he who dresses them in the ing and discipline which after all, is the continue, nor is it now settled. There is plainest language is the greatest author. no ill-feeling between Gen. Grant an Mr. Mr. Grady has been fortunate in thus freeing it from the objections named, and in making himself attractive to students and and how to study, should be the object of farmers wishing to improve, -to know the every teacher, the purpose of all systems why and the wherefores, the causes and ef- and schools, while the knowledge attained in fects of the phenomena in agriculture, and the various circumstances and conditions bearing upon the seasons, the plants, the timately related in his daily studies, thoughts, feelings and labors. The work form of catechism the promising author goes. He divides his work into lessons. he proceeds. The style is so good, the lessons taught so much needed, the whole wants of North Carolina, in her schools as those every day matters of theory and practice, which come up continually for their examination and decision. Among other subjects treated are the atmosphere and the earth; the three kingdoms of nature, mineral, vegetable and animal; plants and farm crops; how plants are nourished; soils; manures; corn-planting; improved modes of cultivation; resting land; plow- in our schools, as well as geometry and muing; ditching; harvesting; cotton, corn, &c., &c., &c.

hese and kindred topics, so that the stu- and natural history—in our seminaries. dent may be well furnished in the elements Let our young men and ladies be convin of correct farming, and the farmer already | ced that it is as respectable and delightful at work, may proceed with intelligence and as it is far more profitable and prosperous, success. Now, more than ever, it is to till the soil and to manage the dairy indispensable that every step the farmer and to furnish the wardrobe and the table takes, each stroke that he makes with his than it is to sell merchandize or to play the axe, his spade, or his hoe, every furrow belle, and then such views of duty and that he makes with his plow should be made | pleasure will prevail as will make all our wisely and well. Labor is too precious now to be misapplied; time and money too valuable to be squandered in wild theories, or wasted in foolish plans. Everything now done on the farm should be with the full knowledge of what we are doing; should be directed with a clear head and a steady hand. In this way only can farming be made pleasant and profitable. By using the knowledge contained in such publications as this, can the farmer, by experience and good sense, attain that competency and success which all men desire. He may have to rid himself of delusions which in cultivating the soil he may have unwisely hugged to his bosom. He will have to give up many of those prejudices and old plans f his ancestors, in farming, if he would follow those teachings of science and of enlightened experience, plainly indicated dan and the assignment of Gen. Hancock by our changed sastem of labor and its to succeed him. attendant necessities. This book points

out the true way. Carolinian out and out. Let it have a place of Congress. at once in our male schools and higher sem- The authorization is construed as annulinaries, and let it be scattered broadcast ling section five of Gen. Grant's order of over the whole State from the seaboard to the 17th inst., and the General regards it the mountains, and let every farmer pur- as encroaching upon his functions, as fixed chase and read it. It is high time we had by the reconstruction acts, which give him cease to undervalue our own books, our supervisory control over the acts of the own men, our own institutions. There is District Commanders. a most lamentable want of appreciation | The President holds that the law give of our talented, scientific, noble, high the district commander original and minded men. It is such men, after all, that | lute discretion, and that although the Genconstitute a State, and how much longer eral of the army may annul or disapprove before North Carolinians act upon it ? In the acts of the district commander, he can the past the State has in no respect acted not in the first instance direct that officer so strange, been so untrue to herself, as in as to the course he shall pursue, as Generthe disposition of her people and of her al Grant directed Gen. Thomas, in section authorities to undervalue and neglect her five, above referred to-in other words, own citizens of the brightest intellects, the that General Hancock, as the successor of finest attainments, the highest worth and General Sheridan, has power to revoke any merit. Why are such men, the brightest order heretofore made by the latter, such ewels in her casket, so often allowed to as the removal of State officers; but Gen. languish in poverty and obscurity, while Grant may afterwards disapprove such ac-Now that tomatoas are in their greatest mere pigmies in intellect and manhood, tion, and thus annul it. And further, that bear off the chief public places of honor the section of the army appropriation bill and profit in the State?

Why is it that men are so often imported Washington, and preventing Gen. Grant's from other States to occupy our public in- removal without the consent of the Senate "Take ripe tomatoes (the small red ones stitutions, and to fill civil offices over citi does not vest the general of the armies with are preferable,) wash but not skin them, zens of our State, who are as competent any power over the orders of the President and thoroughly boil one hour, and then and worthy every way as those who come as commander-in-chief, but simply requires put them through a hair seive; and to one from abroad to supplant them? I that any such orders shall pass through quart of juice add one table-spoonful of make no reference whatever, in these re- the general of the armies. cinnamon, one of black pepper, half of marks, to those military and other officers cayenne, hali of nutmeg; one of good of the government of the United States, tween the President and General Grant, mustard, two-thirds of tea-cupful of salt. who are in the State since the war in the there is no irritation felt or exhibited by Boil three hours, and then to one quart of discharge of official duties; but we refer either of them, and General Grant does juice add one pint of pure cider vinegar. to the voluntary choice of our people and not, as reported, refuse to issue the order. Boil half an hour longer; bottle hot and our authorities of men from other States to seal up. This catsup will keep for years, fill so many of the best civil positions in Langston and the President, yesterday, and not require shaking before using. A the State, when there are so many of our own men as well qualified and willing to accept them. Such a policy has long been destructive of manly State pride, is morti-The President seems to have put his sy- fying to thousands of our best men who present are fusing principles of freedem cle in for the harvest. Sickles was "cut are honorably striving for usefulness and and reducing despotism to cinders, will down" (as the Radicals call it) yesterday. distinction, and is every way wrong. Why,

higher duty will dawn on our good old State. Too many are rushing into the professions and hunting soft and shady places. who ought to be at solid work upon the farms and in the workshops. Our public schools, too, must cease to cling with idol. trous devotion to old worn out systems of dices against the introduction into their institutions of practical as well as theoretical instruction in agriculture, mechanics, old field school teachers, as well as Profes making to judicious changes and reforms in both male and female instruction. We need less of the dead languages and more of the natural sciences, more of chemistry, mechanics, physiology and agriculture, and tal branches which have been so popular in our institutions of learning. These and similar studies, united with mathematics, are more needed, and less of Latin and Greek, and other studies so soon forgotten after leaving school and college. The les sons of the war, the changed condition of the South, demands that these old teachers should abandon their idols and the cherished prejudices against improvement and order of men of more judicious enterprise and of more liberal and comprehensive views will rise up and fill their places,-Such reform in the old mode of instruction would by no means ignore that mental trainmain object of education. To develop, strengthen, and train the mental facultie to teach the student to reason and to think the progress of the pupil is of secondary importance, but still it should be such as but suits the present and prospective wants of the learner. I press this point of the necessity of renovating our defective modes of education. Boys and girls should be taught in school the science of agriculture and cooking, as they are taught grammar and algebra. But, as is wellknown, little or no attention is paid by our teachers to practical science. The reason of things must be known and then farming will be a delight instead of drudgery. It should be thoroughly taught and illustrated in our public schools, and then the young mind, becoming interested in future pursuits, enters upon them not as a task but as a pleasure. Labor thus become a profession and not a servitude. Toil is thus not merely honored and dignified, but it becomes a luxury. The importance of this subject must be often urged upon public attention, and our public schools be given to understand, that unless they change their systems and conform to the sugges tions of a wiser policy and the requirements of necessities upon us, they will be bound

Let the science of cooking, on which so much of health and life depends, be taught sic. Let the art of housekeeping, on which so much of comfort and prosperity is de-The author aims to give correct views on pendant, be likewise taught with botany lives more prosperous and happy. Yours, &c.,

to go by the board, and their teachers to

give way to others who are up with the

times.

From the Baltimore Sun. FROM WASHINGTON.

The President and General Grant\_Causes Claims of Both Under the Reconstruction Acts\_Freedmen's Bureau and the Colored

Washington, Aug. 28,-Dispatches rent hence last night indicating an irreconcilable difficulty between the President and General Grant are calculated to mislead. The variance in the views of the Executive and the General of the army relate only to details of the orders relieving Gen. Sheri-

General Grant is understood to be op posed to relieving General Hancock from This is a North Carolina production. So command of the department of Missouri, far as I are informed, it is the only na- and objects to directing General Sheridan tive agricultural work ever written or pub- to go without delay to Leavenworth. Genished in the State, except such official re- eral Grant also raises a legal question upon ports on geology, swamp lands, &c., as have that paragraph of the President's order been made from time to time. Here, then, which directs General Hancock to exercise s an instructive little work that is North any and all powers conferred by the acts

fixing the headquarters of the army at

Though this variance of views exists be The interview between the colored orator was not sought by the latter, but by the former. It was not for the purpose of considering the removal of General Howard from the Freedmen's Bureau, as reported. Langston gave an account of his visit to the South, stating that he was well received by both white and black people; that the Freedmen's Bureau has ceased to be of use for any other than educational purposes and asked the President if he would receive suggestions on the subject from him

Ark., went to the office of the Constitu-